

# The Corporation of the City of Kawartha Lakes

## Amended Agenda

### Planning Advisory Committee Meeting

PC2026-04

Wednesday, April 8, 2026

1:00 P.M.

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

#### Members:

Mayor Doug Elmslie

Deputy Mayor Tracy Richardson

Councillor Ron Ashmore

Councillor Pat Warren

Mike Barkwell

Le Nguyen

Patrick O'Reilly

Andrew Veale

Jason Willock

**Accessible formats and communication supports are available upon request. The City of Kawartha Lakes is committed to accessibility for persons with disabilities. Please contact [AgendaItems@kawarthalakes.ca](mailto:AgendaItems@kawarthalakes.ca) if you have an accessible accommodation request.**

To speak to a **"Public Meeting Report"**, either attend the meeting in person, or participate via Zoom by emailing [agendaitems@kawarthalakes.ca](mailto:agendaitems@kawarthalakes.ca) and reference the item number in your email by **Wednesday, April 8, 2026 at 12:00 p.m.** To speak to a **"Regular and Returned Report"**, submit a completed [deputation request form](#) by **Monday, April 6, 2026 at 12:00 p.m.** You will then receive instruction from staff on how to participate either by Zoom or in person at the meeting. Anyone may provide written comments on any application by email to [clerks@kawarthalakes.ca](mailto:clerks@kawarthalakes.ca).

**Limited seating in Council Chambers is available** in Council Chambers for in-person attendance. Contact the City Clerk's Office at [clerks@kawarthalakes.ca](mailto:clerks@kawarthalakes.ca) or 705-324-9411 ext. 1322 to confirm space, or to request links to participate electronically. Alternatively, access the meeting livestream on the Kawartha Lakes YouTube Channel at <https://www.youtube.com/c/CityofKawarthaLakes> .

1.	Call to Order and Adoption of Agenda	
2.	Declarations of Pecuniary Interest	
3.	Public Meeting Reports	
3.1	PLAN2026-020	6 - 17
	<b>Applications to Amend the City of Kawartha Lakes Official Plan (Lindsay Secondary Plan) and Township of Ops Zoning By-Law 93-30 at 362 Highway 36, Lindsay – Speedy General Trading Ltd.</b> Timothy Gouveia, Planner, Dillon Consulting Limited (on behalf of the City of Kawartha Lakes)	
3.1.1	Public Meeting	
3.1.2	Business Arising from the Public Meeting	
	<b>That Report PLAN2026-020 Applications to Amend the City of Kawartha Lakes Official Plan (Lindsay Secondary Plan) and Township of Ops Zoning By-Law 93-30 at 362 Highway 36, Lindsay – Speedy General Trading Ltd. be received for information.</b>	
3.2	PLAN2026-022	18 - 29
	<b>Application to Amend the Township of Fenelon Zoning By-law 12-95 at 620 Fenel Road, Kirkfield – Rea</b> Aliyah Fraser Planner, Dillon Consulting Limited (on behalf of the City of Kawartha Lakes)	
3.2.1	Public Meeting	
3.2.2	Business Arising from the Public Meeting	
	<b>That Report PLAN2026-022, Application to Amend the Township of Fenelon Zoning By-law 12-95 at 620 Fenel Road, Kirkfield – Rea be received for information.</b>	
3.3	PLAN2026-025	30 - 45
	<b>Applications to Amend the Kawartha Lakes Official Plan (Lindsay Secondary Plan) and Town of Lindsay Zoning By-law 2000-75 at 96 Albert Street South, Lindsay - 755168 Ontario Limited</b> Katherine Evans, Development Supervisor	

3.3.1 Public Meeting

3.3.2 Business Arising from the Public Meeting

**That Report PLAN2026-025, Applications to Amend the Kawartha Lakes Official Plan (Lindsay Secondary Plan) and Town of Lindsay Zoning By-law 2000-75 at 96 Albert Street South, Lindsay - 755168 Ontario Limited** be received for information.

4. Deputations

\*4.1 PC2026-04.4.1

**Diana Keay, D.M. Wills Associates Ltd., Brian Kerr or Mike Crowe, Kawartha Dairy**  
Relating to Report PLAN2026-018 (Item 6.1 on the Agenda)

5. Correspondence

6. Regular and Returned Reports

6.1 PLAN2026-018

46 - 73

**Application to Amend the Village of Bobcaygeon Zoning By-law 16-78 at 89 Prince Street West, Bobcaygeon - Kawartha Dairy**  
Julio Sarti Caldeira, Planner, Dillon Consulting Limited (on behalf of the City of Kawartha Lakes)

**That Report PLAN2026-018, Application to Amend the Village of Bobcaygeon Zoning By-law 16-78 at 89 Prince Street West, Bobcaygeon - Kawartha Dairy, be received;**

**That a Zoning By-law Amendment respecting application D06-2024-012, substantially in the form attached as Appendix D to Report PLAN2026-018, be approved and adopted by Council; and**

**That the Mayor and Clerk be authorized to execute the documents required by the approval of this application.**

6.2 PLAN2026-021

74 - 95

**Application to Amend the Township of Emily Zoning By-law 1996-30 at 964 Hayes Line, Omemeo - 1000810255 Ontario Inc.**  
Robert Wilson, Urban Planner, Dillon Consulting Limited (on behalf of the City of Kawartha Lakes)

**That Report PLAN2026-021, Application to Amend the Township of Emily Zoning By-law 1996-30 at 964 Hayes Line, Omemee - 1000810255 Ontario Inc. be received;**

**That Zoning By-law Amendments respecting application D06-2025-004, substantially in the form attached as Appendix D and E to Report PLAN2026-021, be approved and adopted by Council; and**

**That the Mayor and Clerk be authorized to execute the documents required by the approval of this application.**

6.3

**PLAN2026-023**

96 - 147

**Applications to Amend the City of Kawartha Lakes Official Plan (Lindsay Secondary Plan) and Town of Lindsay Zoning By-law 2000-75 with Redline revision to Draft Approved Plan of Subdivision at Tribute South Lands, Part Lots 23 and 24 Concession 4, Former Town of Lindsay – Tribute (Lindsay 1) Limited**

Ben Dunlop, Planner, Dillon Consulting Limited (on behalf of the City of Kawartha Lakes)

**That Report PLAN2026-023, Application to Amend the City of Kawartha Lakes Official Plan (Lindsay Secondary Plan) and Town of Lindsay Zoning By-law 2000-75 with Redline revision to Draft Approved Plan of Subdivision at Tribute South Lands, Part Lots 23 and 24 Concession 4, Former Town of Lindsay – Tribute (Lindsay 1) Limited be received;**

**That an Official Plan Amendment respecting application D01-2025-003, substantially in the form attached as Appendix E to Report PLAN2026-023, be approved and adopted by Council;**

**That a Zoning By-law Amendment respecting application D06-2025-011, substantially in the form attached as Appendix D to Report PLAN2026-023, be approved and adopted by Council;**

**That a Redline Revision to Draft Approved Plan of Subdivision and revised conditions of Draft Approval respecting application D05-2025-003, substantially in the form attached as Appendix C to Report PLAN2026-023, be approved and adopted by Council; and**

**That the Mayor and Clerk be authorized to execute the documents required by the approval of these applications.**

**Redline Revision to Draft Approved Plan of Subdivision 16T-22503 (Grace & Grand Phase 1), Part Lot 20, Concession 7, Geographic Township of Ops, City of Kawartha Lakes - Flato Lindsay Community Inc.**  
Leah Barrie, Director of Development Services

**That Report PLAN2026-026, Redline Revision to Draft Approved Plan of Subdivision 16T-22503 (Grace & Grand Phase 1), Part Lot 20, Concession 7, Geographic Township of Ops, City of Kawartha Lakes - Flato Lindsay Community Inc., be received;**

**That** the Redlined Draft Plan of Subdivision and Revised Conditions of Draft Approval, substantially in the form attached as Appendices C and D to Report PLAN2026-026 be approved by Council; and

**That** the Mayor and Clerk be authorized to execute the documents and agreements required by the approval of this Application.

**7. Adjournment**

## Planning Advisory Committee Report

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<b>Report Number:</b>	<b>PLAN2026-020</b>
<b>Meeting Date:</b>	April 8, 2026
<b>Title:</b>	<b>Amend the City of Kawartha Lakes Official Plan (Lindsay Secondary Plan) and Township of Ops Zoning By-Law 93-30 at 362 Highway 36, Lindsay, – Speedy General Trading Ltd.</b>
<b>Description:</b>	<p>Redesignate the Subjects Lands at 362 Highway 36 (CON 7 PT LOT 21 PLAN 44 PT; LOT 46 LOT 45), Ops from the Highway Commercial designation to a site-specific Highway Commercial special designation to permit eating establishment, including drive through and take-out establishment.</p> <p>Rezone the Subject Lands at 362 Highway 36, Ops from the Highway Commercial (CH) Zone to a site-specific Highway Commercial (H) Exception Zone to permit restaurants with a drive-through and address other deficiencies.</p>
<b>Type of Report:</b>	<b>Information Report</b> for the purposes of the statutory Public Meeting under section 17 and 34 of the Planning Act, RSO 1990, chapter P.13
<b>Author and Title:</b>	Timothy Gouveia, Planner, Dillon Consulting Limited (on behalf of the City of Kawartha Lakes)

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### Recommendation:

**That** Report PLAN2026-020 **Amend the City of Kawartha Lakes Official Plan (Lindsay Secondary Plan) and Township of Ops Zoning By-Law 93-30 at 362 Highway 36, Lindsay, – Speedy General Trading Ltd.** be received for information.

**Department Head:** \_\_\_\_\_

**Legal/Other:** \_\_\_\_\_

**Chief Administrative Officer:** \_\_\_\_\_

## Application Summary:

The Applicant is proposing to develop a mixed-use campus featuring automotive, dining, and commercial uses.<sup>1</sup>

An amendment to the City of Kawartha Lakes Official Plan (Lindsay Secondary Plan) and Township of Ops Comprehensive Zoning By-Law 93-30 is required to change the Highway Commercial Designation and Highway Commercial Zone in order to facilitate the proposal.

<b>Owner:</b>	Speedy General Trading Ltd. c/o Charanjit Khaira
<b>Applicant:</b>	n Architecture Inc.
<b>Property Description<sup>2</sup>:</b>	Legal Description: CON 7 PT LOT 21 PLAN 44 PT; LOT 46 LOT 45
	Municipal Address: 362 Highway 36, Ops
<b>Official Plan:</b>	'Urban Settlement Boundary' in Schedule A-3 of the City of Kawartha Lakes Official Plan, 2012  'Highway Commercial' in Schedule F-1 (Lindsay Secondary Plan) of the City of Kawartha Lakes Official Plan, 2012
<b>Zoning By-law:</b>	'Highway Commercial Zone' in Schedule A of the Township of Ops Comprehensive Zoning By-Law 93-30
<b>Lot Area:</b>	2.11 hectares (5.22 acres)
<b>Servicing:</b>	Municipal water, sewer and sanitary
<b>Access:</b>	Municipal - Arterial (Highway 36)
<b>Existing Uses:</b>	Vacant lands
<b>Adjacent Uses:</b>	North: Retail, auto repair, contactor yard
	East: Agricultural
	South: Car wash, storage, automotive retail

<sup>1</sup> See Schedule 1 – Proposed Concept Plan

<sup>2</sup> See Schedule 2 – Site Mapping

	West: Highway 36, Wilfred Hogan Park, tire shop, assisted living home
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**Application Process:**

The Planning Division received the application submission package on January 20, 2026, which included the following reports and plans in support of the applications:

- Cover Letter, prepared by n Architecture Inc., dated September 23, 2025
- OPA Application form, prepared by n Architecture Inc., received January 20, 2026
- ZBA Application form, prepared by n Architecture Inc., received January 20, 2026
- Site Plan, prepared by n Architecture Inc., dated October 13, 2021
- Constraints Map, prepared by Beacon Environmental, dated January 2026
- Topo Site Survey, prepared by Kad Lanka Surveying Inc., dated April 25, 2022
- Architectural Set, prepared by n Architecture Inc., dated January 19, 2025
- 3D Drawings Set, prepared by n Architecture Inc., dated September 17, 2025
- Landscape Set, prepared by MSLA, dated November 2023
- Civil Drawings Set, prepared by n Architecture Inc., dated November 20, 2022
- Civil Work Cost Estimate, prepared by n Architecture Inc., dated September 19, 2025
- Electrical Plan, prepared by Jain, dated September 22, 2025
- Planning Justification Report, prepared by Batory Planning + Management, dated January 2026
- TIS Report, prepared by n Architecture Inc., dated September 17, 2025
- Parking Justification Study, prepared by n Architecture Inc., dated September 17, 2025
- Urban Design Report, prepared by n Architecture Inc., dated September 17, 2025
- ESA Phase 1, prepared by Rubicon Environmental (2008) Inc., dated September 28, 2022
- EIS, prepared by Beacon Environmental, dated November 10, 2025
- Servicing and Stormwater Management Plan, prepared by n Architecture Inc., dated September 19, 2025
- Inspection and Maintenance Protocol for SWM, prepared by n Architecture Inc., dated September 19, 2025
- Spill Management Plan, prepared by n Architecture Inc., dated September 19, 2025
- Hydrogeological Investigation, prepared by Frontop Engineering Limited, dated July 21, 2025
- Geotechnical Investigation, prepared by Frontop Engineering Limited, dated July 22, 2025

- Draft Zoning By-law Amendment Text, prepared by n Architecture Inc.
- Draft Official Plan Amendment Text, prepared by n Architecture Inc.

The technical review process is currently underway. Planning staff are undertaking an in-depth review of the submission materials. Comments have been received from the City of Kawartha Lakes Building and Septic Division, City of Kawartha Lakes Development Engineering Department, Enbridge, and Canada Post as of the writing of this report.

Due to the nature of the application a third-party peer review of the Traffic Impact Study and Environmental Impact Study is needed. R.J. Burnside & Associates Limited and Dillon Consulting Limited, respectively, have been engaged to conduct these peer reviews. The applicant will be provided comments from the aforementioned peer reviewers following their initial review.

Planning staff will review and consolidate comments submitted by other Departments, commenting agencies and the public, once available.

The applicant may be required to submit revised submission materials in response to comments received during the technical review process.

### **Application Review<sup>3</sup>:**

Planning staff is reviewing the application submission package for consistency with provincial policies and conformity with the City of Kawartha Lakes Official Plan and applicable Zoning By-law.

Any change to the Official Plan must be consistent with applicable provincial policies and uphold the intent of the Official Plan. Any change to the Zoning By-law must comply with the underlying Official Plan designation.

Consideration of all written and verbal comments received through consultation is also part of application review. Notice of this application was circulated to persons within a 120-metre radius, agencies, and City Departments which may have an interest in the application. A summary of written and verbal submissions, including comments received at the Public Meeting, will be included in the subsequent Recommendation report to PAC.

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<sup>3</sup> See Schedule 3 – Provincial and Municipal Land Use Framework

### **Other Alternatives Considered:**

No alternatives have been considered.

### **Conclusion:**

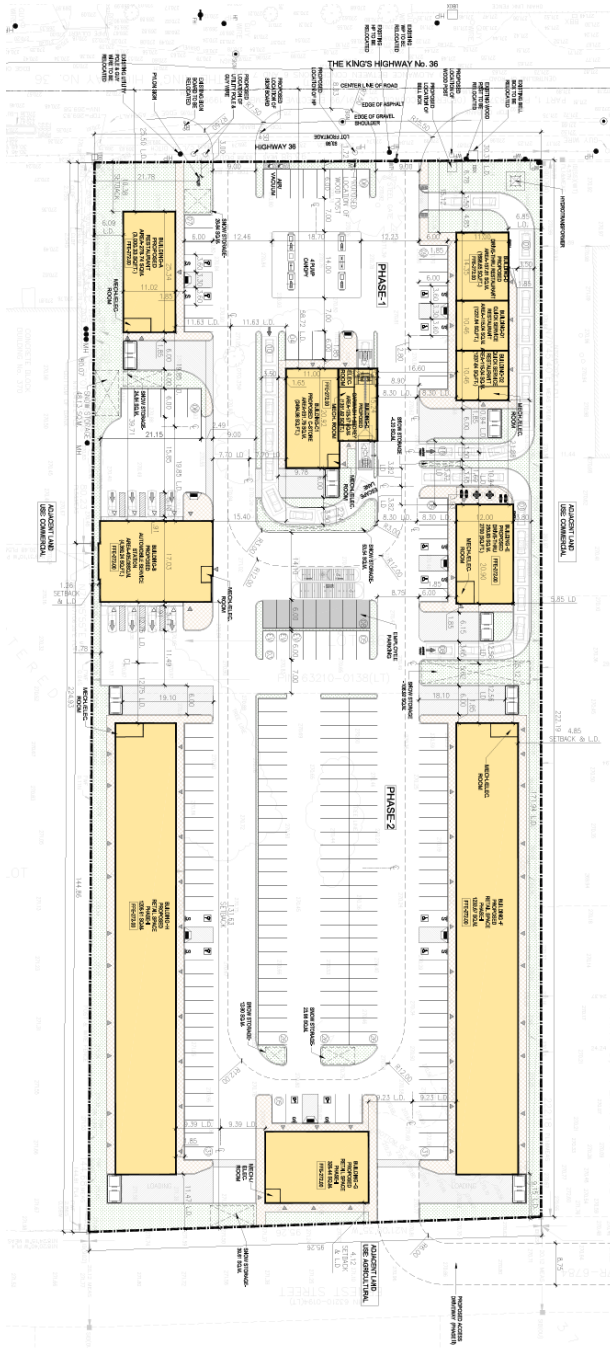
Staff will return to Planning Advisory Committee following conclusion of the public consultation process and evaluation of application merits and provide a subsequent Recommendation report for a Decision by Council. Interested parties will be notified of the subsequent PAC meeting.

**Department Head:** Leah Barrie, Director of Development Services

**Department Head email:** [lbarrie@kawarthalakes.ca](mailto:lbarrie@kawarthalakes.ca)

**Department File:** D01-2026-002, D06-2026-005

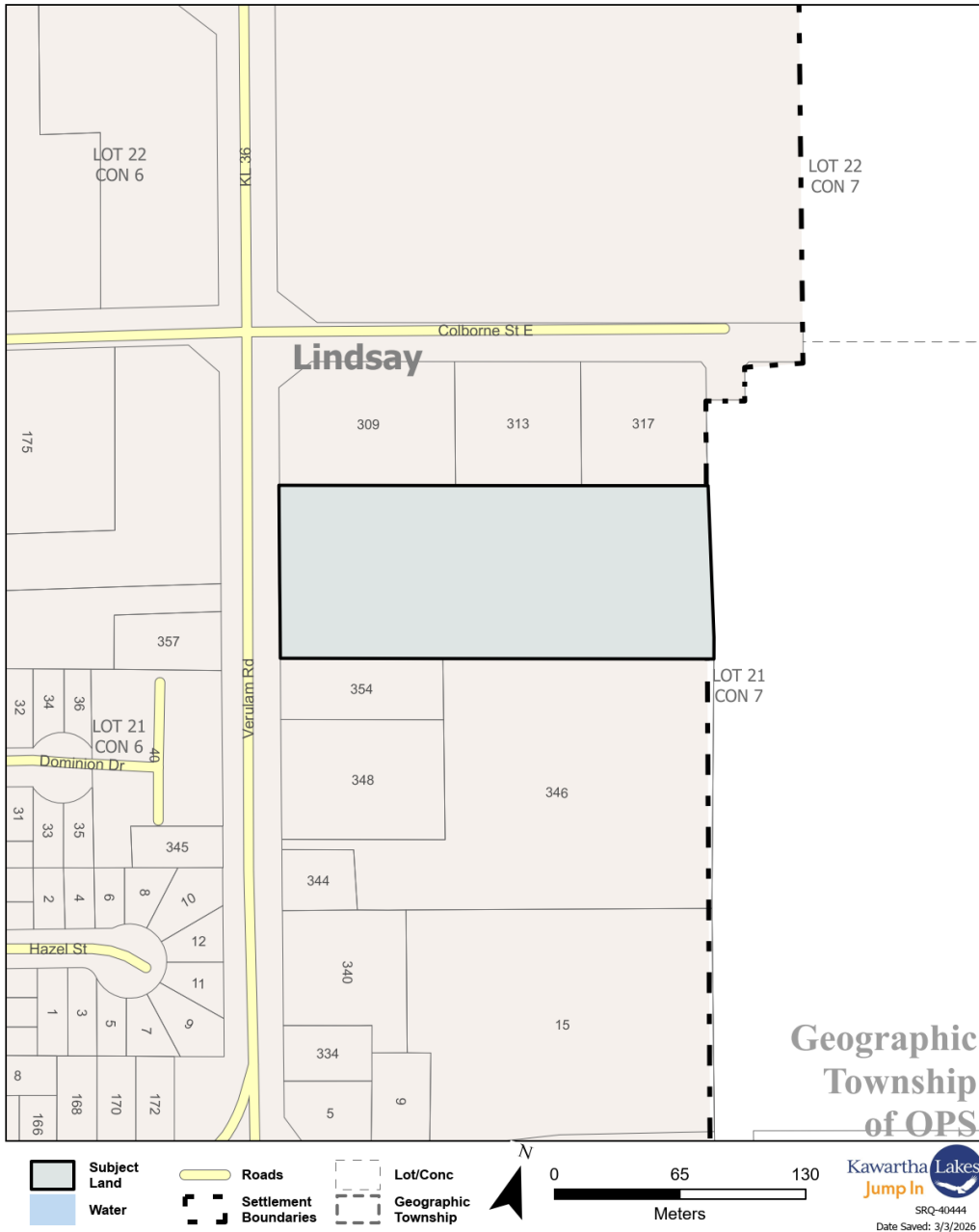
### Schedule 1 – Proposed Concept Plan



**Schedule 2 – Site Mapping**

**Location Map**

**D01-2026-002 & D06-2026-005**



**Aerial Map**



### **Schedule 3 – Provincial and Municipal Land Use Framework**

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#### **Provincial Planning Statement, 2024 (PPS)**

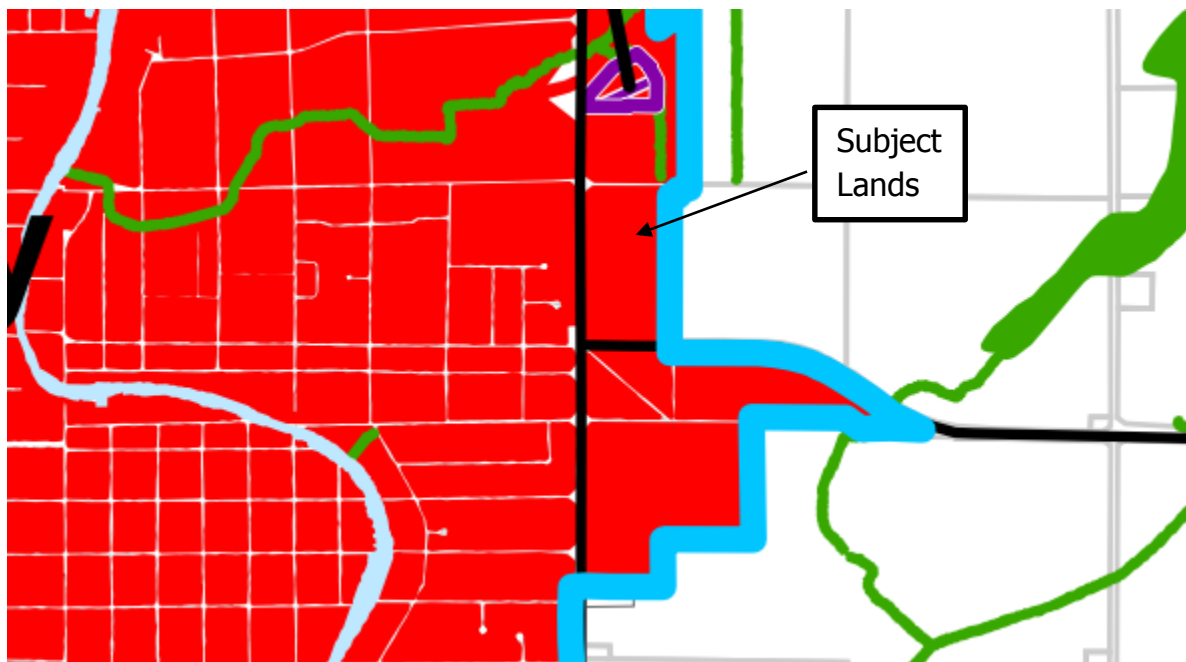
The Provincial Planning Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario’s policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

Municipal official plans are the most important vehicle for implementation of the Provincial Planning Statement and for achieving comprehensive, integrated and long-term planning. Official plans should coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial outcomes.

## City of Kawartha Lakes Official Plan

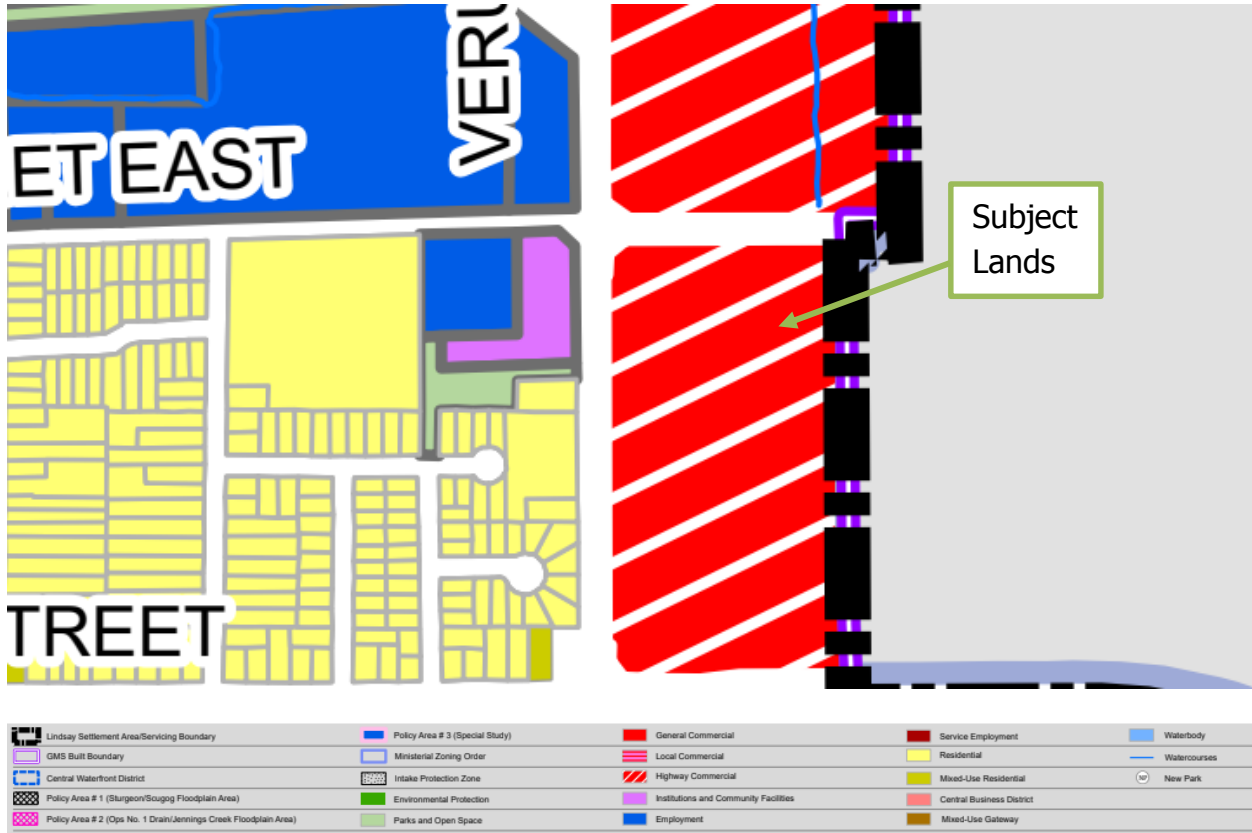
The Official Plan is the City’s policy on how land in the community should be used. Prepared through a public consultation process, it sets strategic direction for land use development, environmental protection, and public infrastructure to attain its vision, goals and objectives.

The Official Plan implements provincial policies and sets the municipal policy framework for applying the Zoning By-law.



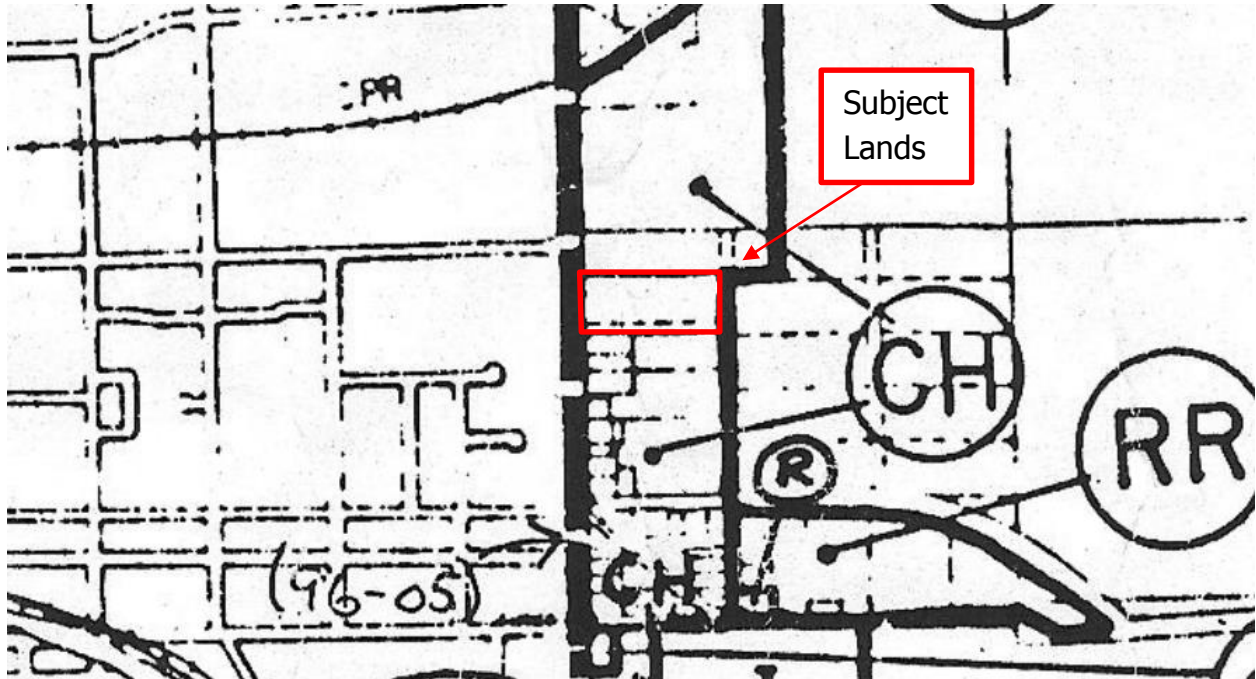
- Prime Agriculture
- Rural
- Environmental Protection
- Urban Settlement Area
- Hamlet
- Waterfront
- Highway Commercial
- Tourist Commercial
- Industrial
- Aggregate
- Open Space
- Sand and Gravel Resource
- Development Plan
- Abandoned Mine Constraint
- Urban Settlement Boundaries
- Lake Simcoe Source Water Protection
- SP-1 (Specific Lake Policy Area)

### Lindsay Secondary Plan



### Township of Ops Comprehensive Zoning By-Law 93-30

The Zoning By-law regulates the use of lands, buildings and structures and implements the Official Plan.





## Planning Advisory Committee Report

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<b>Report Number:</b>	<b>PLAN2026-022</b>
<b>Meeting Date:</b>	April 8, 2026
<b>Title:</b>	<b>Application to Amend the Township of Fenelon Zoning By-law 12-95 at 620 Fenel Road, Kirkfield – Rea</b>
<b>Description:</b>	Rezone a portion of the Subject Lands (Part W 1/2 of Lot 22, Concession 1, Fenelon Township) from the 'Agricultural (A1)' zone to a site specific 'Agricultural Exception (A1-28)' zone to prohibit future residential development and facilitate a surplus farm dwelling severance
<b>Type of Report:</b>	<b>Information Report</b> for the purposes of the statutory Public Meeting under section 34 of the Planning Act, RSO 1990, chapter P.13
<b>Author and Title:</b>	Aliyah Fraser Planner, Dillon Consulting Limited (on behalf of the City of Kawartha Lakes)

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### Recommendation:

That Report PLAN2026-022, **Application to Amend the Township of Fenelon Zoning By-law 12-95 at 620 Fenel Road, Kirkfield – Rea** be received for information.

**Department Head:** \_\_\_\_\_

**Legal/Other:** \_\_\_\_\_

**Chief Administrative Officer:** \_\_\_\_\_

### Application Summary:

The Applicant is proposing to rezone a portion of the property at 620 Fenel Road, Fenelon (the “Subject Lands”) to prohibit future residential uses<sup>1</sup>. An amendment to the Township of Fenelon Zoning By-law 12-95 is required to change the ‘Agricultural (A1)’ zone to an ‘Agricultural Exception (A1-28)’ zone as a condition of provisional consent to sever a surplus farm dwelling (refer to file D03-2024-026) in order to facilitate the proposal.

<b>Owner:</b>	Rob Rea
<b>Applicant:</b>	TD Consulting Inc.
<b>Property Description<sup>2</sup>:</b>	Legal Description: Part W 1/2 of Lot 22, Concession 1, Geographic Township of Fenelon
	Municipal Address: 620 Fenel Road, Fenelon
<b>Official Plan:</b>	Schedule A-5 of the City of Kawartha Lakes Official Plan, 2012 – Prime Agricultural and Environmental Protection
<b>Zoning By-law:</b>	Schedule A of the Township of Fenelon Zoning By-law 12-95 – Agricultural (A1) and Environmental Protection (EP) zones
<b>Lot Area:</b>	Approximately 43.4 hectares (107.2 acres)
<b>Servicing:</b>	Water: individual private well Sanitary: individual private septic system Stormwater: ditches/swales
<b>Access:</b>	Municipal - Arterial Road: Fenel Road
<b>Existing Uses:</b>	Agricultural and residential uses
<b>Adjacent Uses:</b>	North: Woodlands and agricultural uses
	East: Agricultural uses
	South: Agricultural uses

<sup>1</sup> See Schedule 1 – Proposed Concept Plan

<sup>2</sup> See Schedule 2 – Site Mapping

West: Agricultural uses
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### **Application Process:**

The Planning Division received the application submission package on February 8, 2026 which included the following materials in support of the application:

- Applicant Cover Letter, prepared by TD Consulting Inc., dated October 21, 2025
- Zoning By-law Amendment Application Form, prepared by TD Consulting Inc.
- Site Plan, prepared by TD Consulting Inc. dated January 2024
- Revised Site Plan, prepared by TD Consulting Inc., dated January 2024.

Staff deemed the application 'complete' under the requirements of the Planning Act on February 27, 2026, and initiated consultation with commenting agencies and municipal departments on March 9, 2026, with a requested review period of the application submission package by March 23, 2026. All of the reports and plans submitted have been circulated to the applicable commenting agencies and City Departments for review and comment. The public has been notified of the application through circulation of the Notice of Public Meeting on March 13, 2026.

During the circulation process, the Supervisor of Part 8 Sewage Systems from the Building and Septic Division identified that the Severed Lands do not fully incorporate the entire footprint of the existing sewage system and do not provide the minimum required clearance distance from the sewage system to the proposed property line. As a result, a portion of the sewage system envelope for the existing dwelling will straddle the proposed new lot line and encroach onto the lands to be retained. A sewage system must be wholly contained within the property of the structure it will be serving. As such, the area proposed for consent and rezoning will need to be revised to ensure the sewage system envelope is wholly contained within the proposed boundary of the Severed Lands.

Additionally, the Heritage Planning Economic Development Officer stated that the proposed zoning by-law amendment must include provisions that prohibit any future development or construction (including agricultural buildings) without the completion of an archaeological assessment. This is because there are two archaeological sites, first identified in the 1890s, in close proximity to the Subject Lands. At this time, the full limits of both sites are unknown and would need to be determined through the preparation of an archaeological assessment, prior to future development.

Planning staff are working with the applicant to see that necessary revisions are made to relevant submission materials in response to comments received during the technical review process.

Once the above-referenced matters have been addressed, the application can return to the Planning Advisory Committee (PAC) with a recommendation for a decision.

### **Application Review<sup>3</sup>:**

Planning staff are reviewing the application submission package for consistency with provincial policies and conformity with the City of Kawartha Lakes Official Plan and applicable Zoning By-law.

Any change to the Official Plan must be consistent with applicable provincial policies and uphold the intent of the Official Plan. Any change to the Zoning By-law must comply with the underlying Official Plan designation.

Consideration of all written and verbal comments received through consultation is also part of application review. Notice of this application was circulated to persons within a 120-metre radius, agencies, and City Departments which may have an interest in the application. A summary of written and verbal submissions, including comments received at the Public Meeting, will be included in the subsequent Recommendation report to PAC.

### **Other Alternatives Considered:**

No other alternatives considered.

### **Conclusion:**

Staff will return to Planning Advisory Committee following conclusion of the public consultation process and evaluation of application merits and provide a subsequent Recommendation report for a Decision by Council. Interested parties will be notified of the subsequent PAC meeting.

**Department Head:** Leah Barrie, Director of Development Services

**Department Head email:** [lbarrie@kawarthalakes.ca](mailto:lbarrie@kawarthalakes.ca)

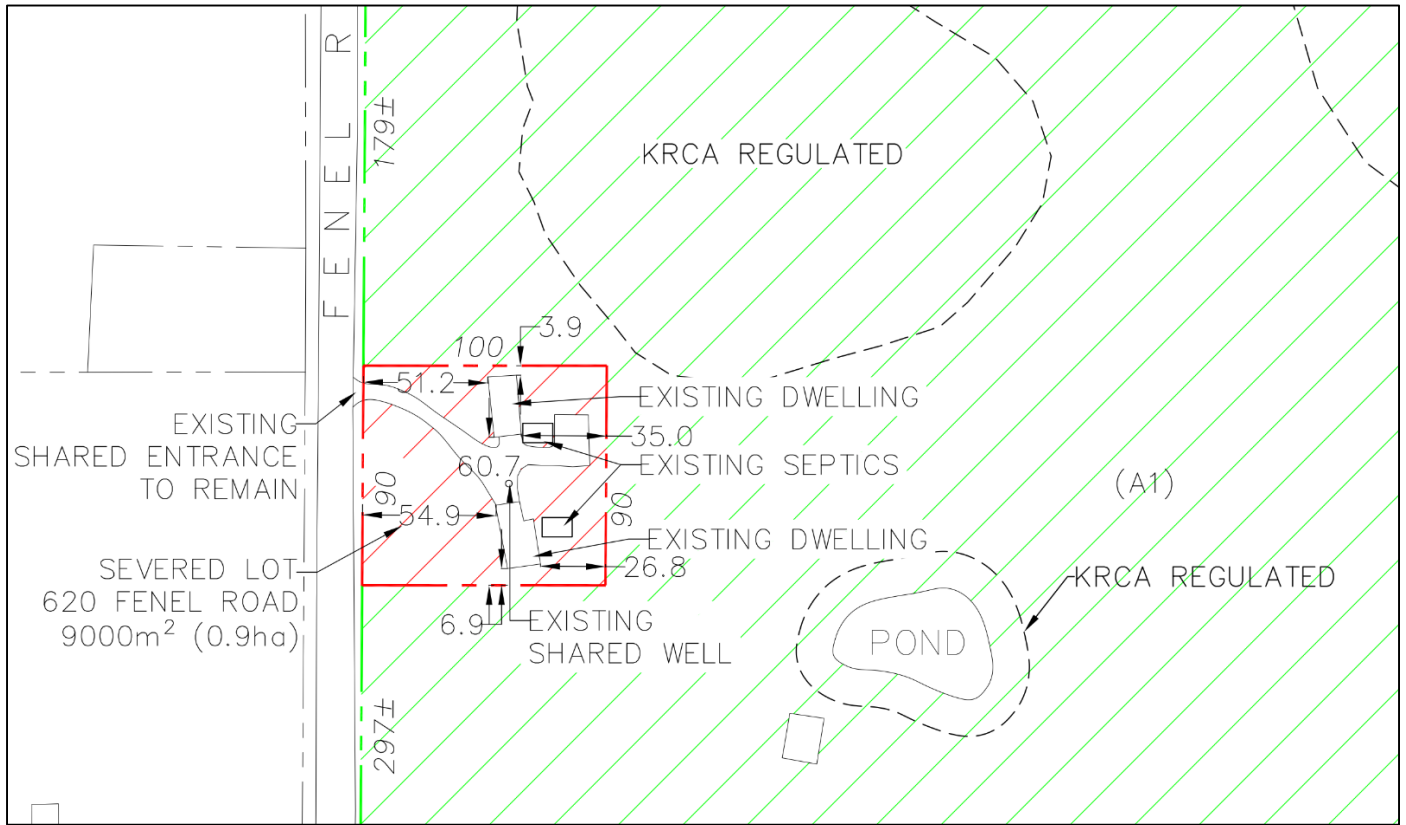
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<sup>3</sup> See Schedule 3 – Provincial and Municipal Land Use Framework

**Department File:** D06-2026-008



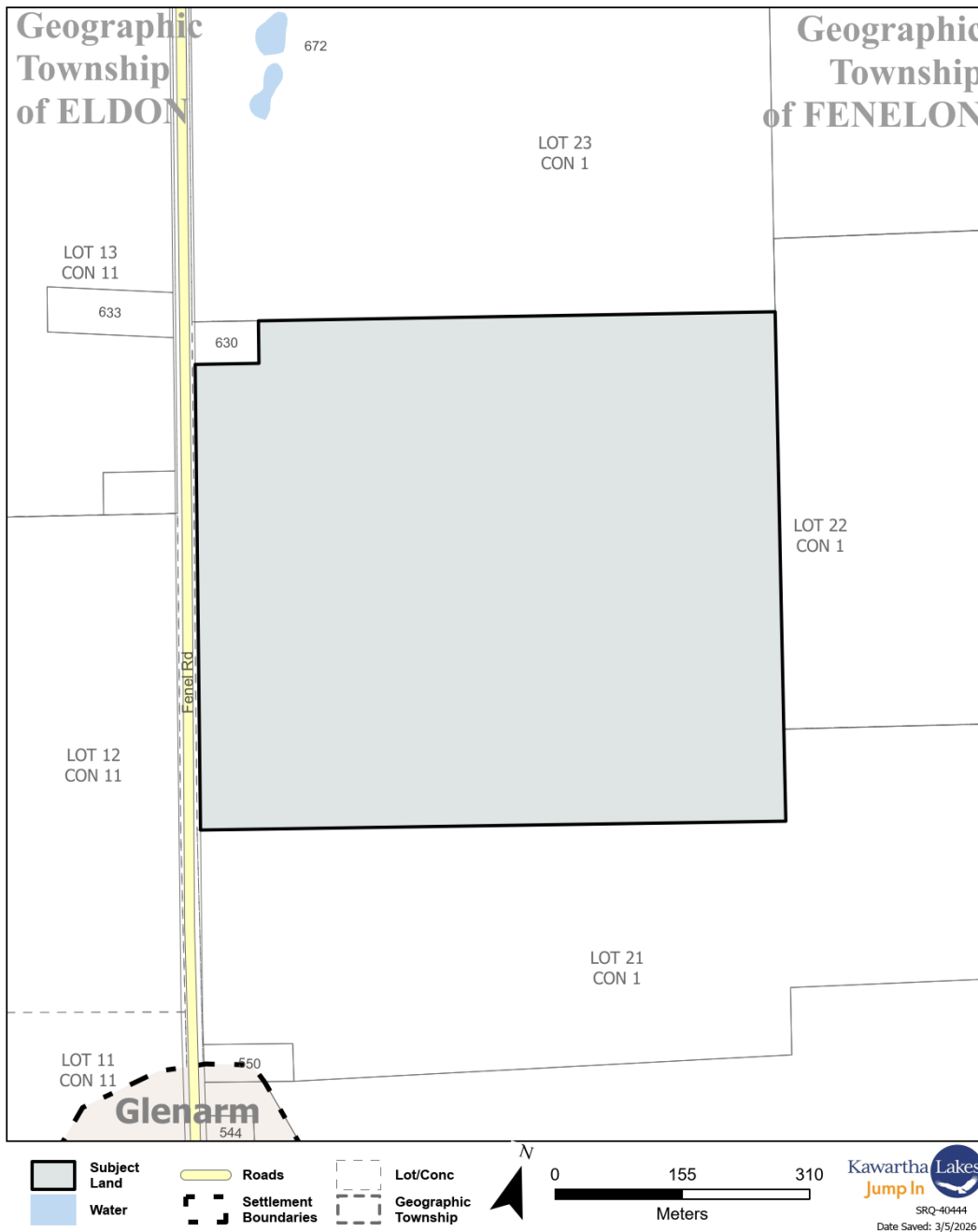
**Concept Plan Detail**



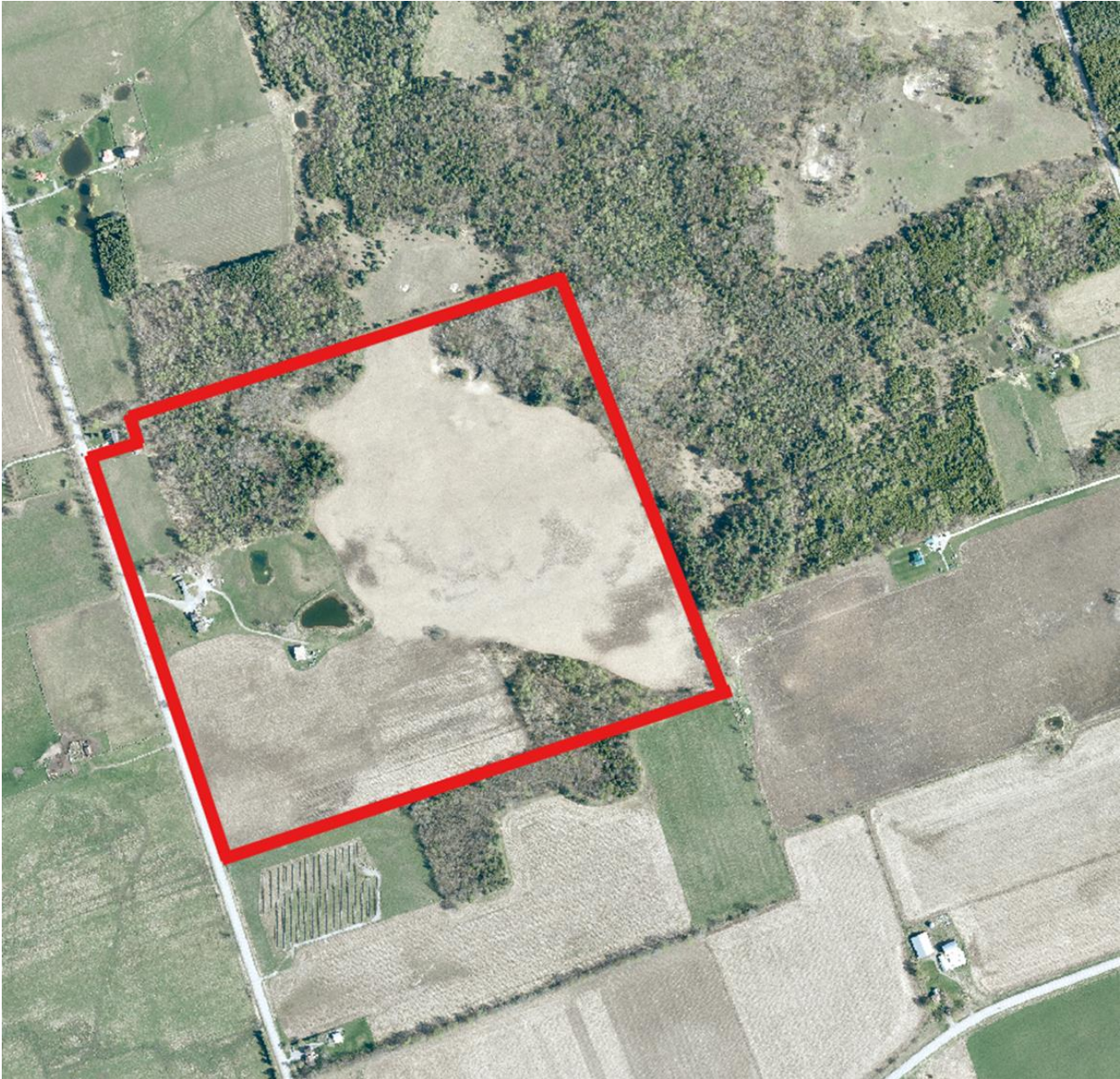
**Schedule 2 – Site Mapping**

**Location Map**

D06-2026-008



**Aerial Map**



### **Schedule 3 – Provincial and Municipal Land Use Framework**

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#### **Provincial Planning Statement, 2024 (PPS)**

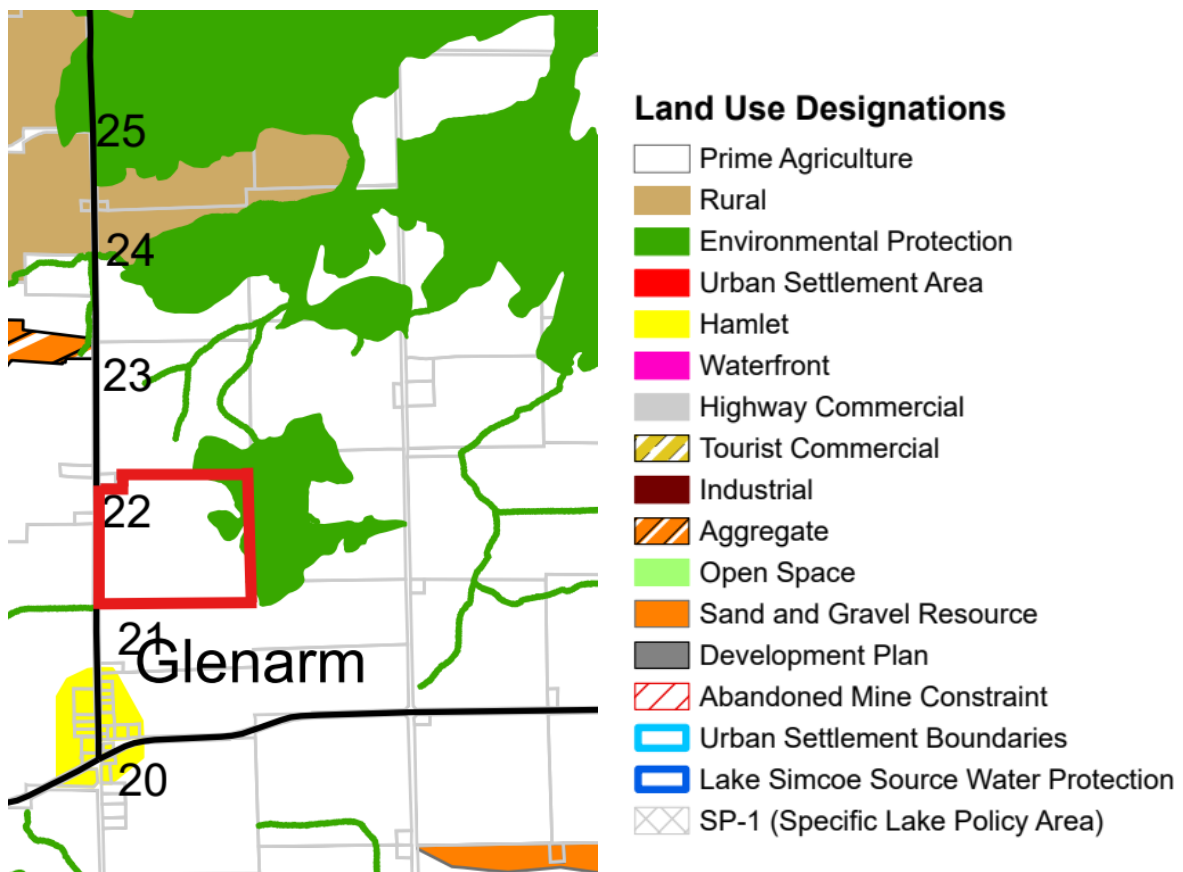
The Provincial Planning Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario’s policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

Municipal official plans are the most important vehicle for implementation of the Provincial Planning Statement and for achieving comprehensive, integrated and long-term planning. Official plans should coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial outcomes.

### City of Kawartha Lakes Official Plan

The Official Plan is the City’s policy on how land in the community should be used. Prepared through a public consultation process, it sets strategic direction for land use development, environmental protection, and public infrastructure to attain its vision, goals and objectives.

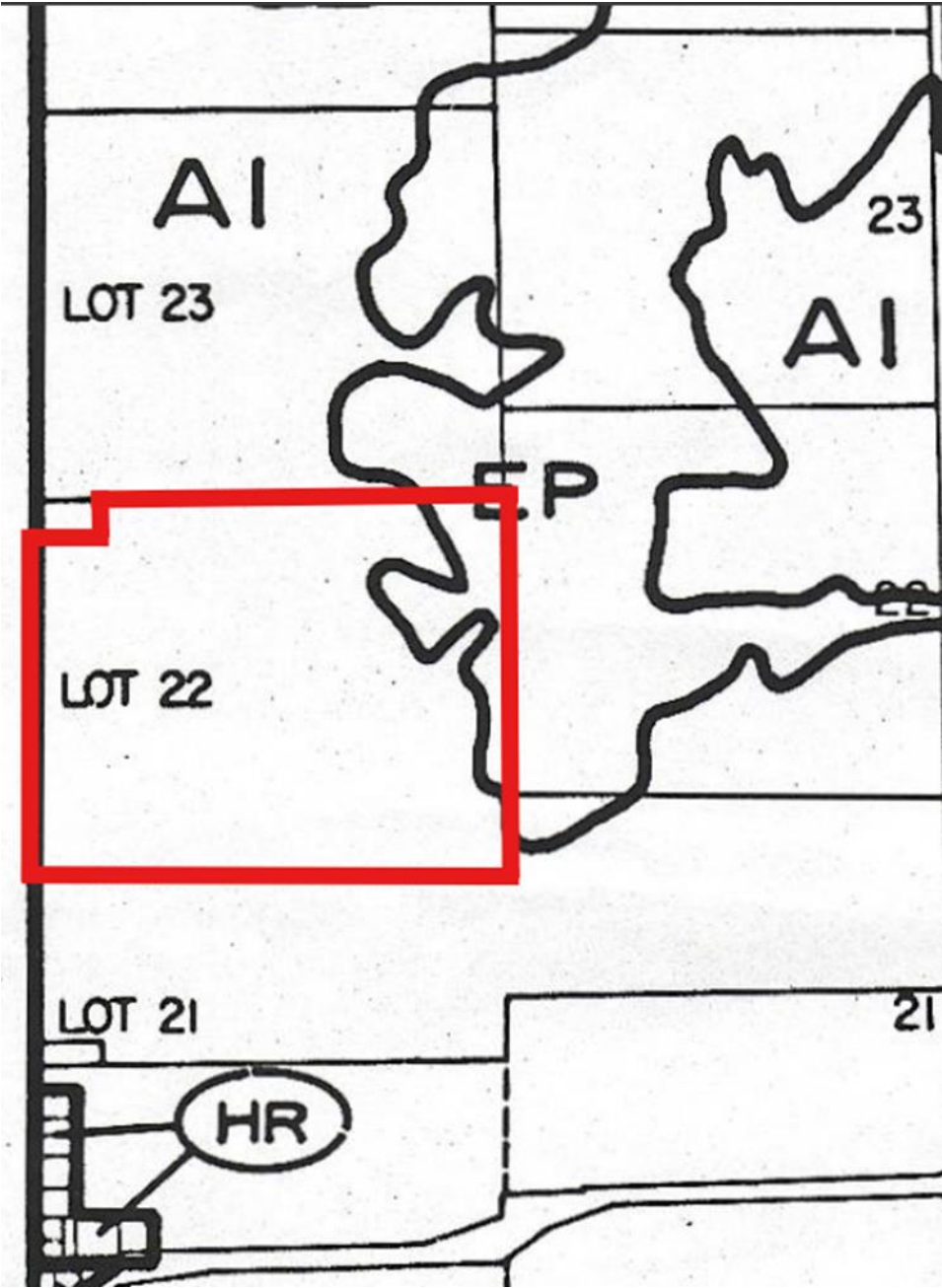
The Official Plan implements provincial policies, and sets the municipal policy framework for applying the Zoning By-law.



**Zoning By-Law Township of Fenelon**

### Zoning By-law 12-95

The Zoning By-law regulates the use of lands, buildings and structures and implements the Official Plan.





## Planning Advisory Committee Report

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<b>Report Number:</b>	<b>PLAN2026-025</b>
<b>Meeting Date:</b>	April 8, 2026
<b>Title:</b>	<b>Applications to Amend the Kawartha Lakes Official Plan (Lindsay Secondary Plan) and Town of Lindsay Zoning By-law 2000-75 at 96 Albert Street South, Lindsay - 755168 Ontario Limited</b>
<b>Description:</b>	<p>Application to amend the Lindsay Secondary Plan to redesignate the subject property to permit the existing residential use, which consists of shared living rental accommodations with semi private bedrooms and common areas – D01-2026-001</p> <p>Application to amend the Town of Lindsay Zoning By-law 2000-75 to rezone the subject property from the 'General Commercial (GC)' Zone to an appropriate 'Residential' zone category – D06-2026-003</p> <p>On lands described as Part of Part 1 on 57R-4988 (being Part of Park Lot O on Plan 8P)</p>
<b>Type of Report:</b>	Information Report for the purposes of the statutory Public Meeting under Section 17 and Section 34 of the Planning Act, RSO 1990, chapter P.13
<b>Author and Title:</b>	Katherine Evans, Development Supervisor

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### Recommendations:

**That** Report PLAN2026-025, **Applications to Amend the Kawartha Lakes Official Plan (Lindsay Secondary Plan) and Town of Lindsay Zoning By-law 2000-75 at 96 Albert Street South, Lindsay - 755168 Ontario Limited** be received for

**Department Head:** \_\_\_\_\_

**Legal/Other:** \_\_\_\_\_

**Chief Administrative Officer:** \_\_\_\_\_

information.

## **Application Summary:**

The applicant is seeking to legalize the existing residential use of the property, which consists of shared living rental accommodations with semi private bedrooms and common areas. The proposal also includes recognizing the existing onsite parking capacity, being 23 parking spaces<sup>1</sup>. There are no external alterations to the property or building proposed. The two-storey building currently contains 16 bedrooms, 6 bathrooms, 2 kitchens, 2 common areas, and 3 storage areas. These are used to accommodate approximately 17-25 individuals, consisting primarily of post-secondary students. The building also contains a separate apartment inhabited by the building manager, which consists of a kitchen, living space, bathroom, bedroom, and office.

The existing use is not permitted under the Official Plan or the Zoning By-law. As such, amendments to the Lindsay Secondary Plan and the Town of Lindsay Zoning By-law 2000-75 are required to facilitate the proposal.

<b>Owner:</b>	755168 Ontario Limited
<b>Applicant:</b>	Paul Brown & Associates Inc. c/o Justin Mamone
<b>Property Description<sup>2</sup>:</b>	Legal Description: Part of Part 1 on 57R-4988 (being Part of Park Lot O on Plan 8P)
	Municipal Address: 96 Albert Street South
<b>Official Plan:</b>	'General Commercial' with 'Intake Protection Zone' on Schedule F-1 (Land Use) of the Lindsay Secondary Plan
<b>Zoning By-law:</b>	'General Commercial (GC)' Zone (Schedule A) under the Town of Lindsay Zoning By-law 2000-75
<b>Lot Area:</b>	0.4 hectares (1 acre)
<b>Servicing:</b>	Municipal water and sanitary sewers
<b>Access:</b>	Municipal – Arterial Road (Mary Street West)
<b>Existing Uses:</b>	Residential

<sup>1</sup> See Schedule 1 – Existing Built Form

<sup>2</sup> See Schedule 2 – Site Mapping

<b>Adjacent Uses:</b>	North: Residential (multi-unit)
	East: Vacant
	South: Vacant
	West: Residential (multi-unit)

**Application Process:**

The Planning Division received the application submission package on December 15, 2025 which included the following reports and plans in support of the applications:

- Cover Letter prepared by Paul Brown and Associates Inc. dated November 28, 2025
- Planning Justification Report prepared by Paul Brown & Associates Inc. dated November 27, 2025
- Survey prepared by Coe Fisher Cameron dated November 6, 2025
- Floor plans of the ground floor prepared by Kirkland Engineering Ltd. dated January 24, 2024
- Floor plans of the second storey prepared by Kirkland Engineering Ltd. dated January 24, 2024
- Traffic Brief prepared by C.F. Crozier & Associates Inc. dated October 2, 2025
- Functional Servicing Brief prepared by D.G. Biddle & Associates dated November 4, 2025
- Phase One Environmental Site Assessment prepared by CEGP Consultants Ltd. dated November 27, 2025

Staff deemed the application 'complete' under the requirements of the Planning Act on January 22, 2025, and initiated Agency consultation on March 2, 2025 with a requested review period of the application submission package by March 16, 2025. All of the reports and plans submitted have been circulated to the applicable agencies and City Departments for review and comment. The public has been notified of the application through circulation of the Notice of Public Meeting on March 13, 2025.

Staff are working with the applicant to address comments received from various agencies. Furthermore, some of the supporting materials submitted as part of the application are being reviewed to determine if peer review is required. The Phase One

Environmental Site Assessment identified areas of potential environmental concern. As such, a Phase Two Environmental Site Assessment with soil and groundwater investigation is required before a Record of Site Condition can be prepared and submitted. The Engineering Division has provided comments outlining revisions that are required for the Functional Servicing Report. Once these matters have been addressed, the application can return to PAC with a recommendation.

### **Application Review<sup>3</sup>:**

Planning staff is reviewing the application submission package including the Planning Justification Report that was prepared and filed in support of the applications, for consistency with the Provincial Planning Statement, 2024, and conformity with the City of Kawartha Lakes Official Plan and applicable Zoning By-law.

Any change to the Official Plan must be consistent with applicable provincial policies, and uphold the intent of the Official Plan. Any change to the Zoning By-law must comply with the underlying Official Plan designation.

Consideration of all written and verbal comments received through consultation is also part of application review. Notice of this application was circulated to persons within a 120-metre radius, agencies, and City Departments which may have an interest in the application. A summary of written and verbal submissions, including comments received at the Public Meeting, will be included in the subsequent Recommendation report to PAC.

### **Other Alternatives Considered:**

A final Preconsultation report was issued for this property on September 30, 2024. Since then, the applicant associated with the applications has changed. Planning staff have met with the current applicant and owners of the property and provided a list of Planning Act applications and required supporting materials to assist the applicant with completing the submission.

### **Conclusion:**

Staff will return to Planning Advisory Committee following conclusion of the public consultation process and evaluation of application merits, and provide a subsequent

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<sup>3</sup> See Schedule 3 – Provincial and Municipal Land Use Framework

Recommendation report for a Decision by Council. Interested parties will be notified of the subsequent PAC meeting.

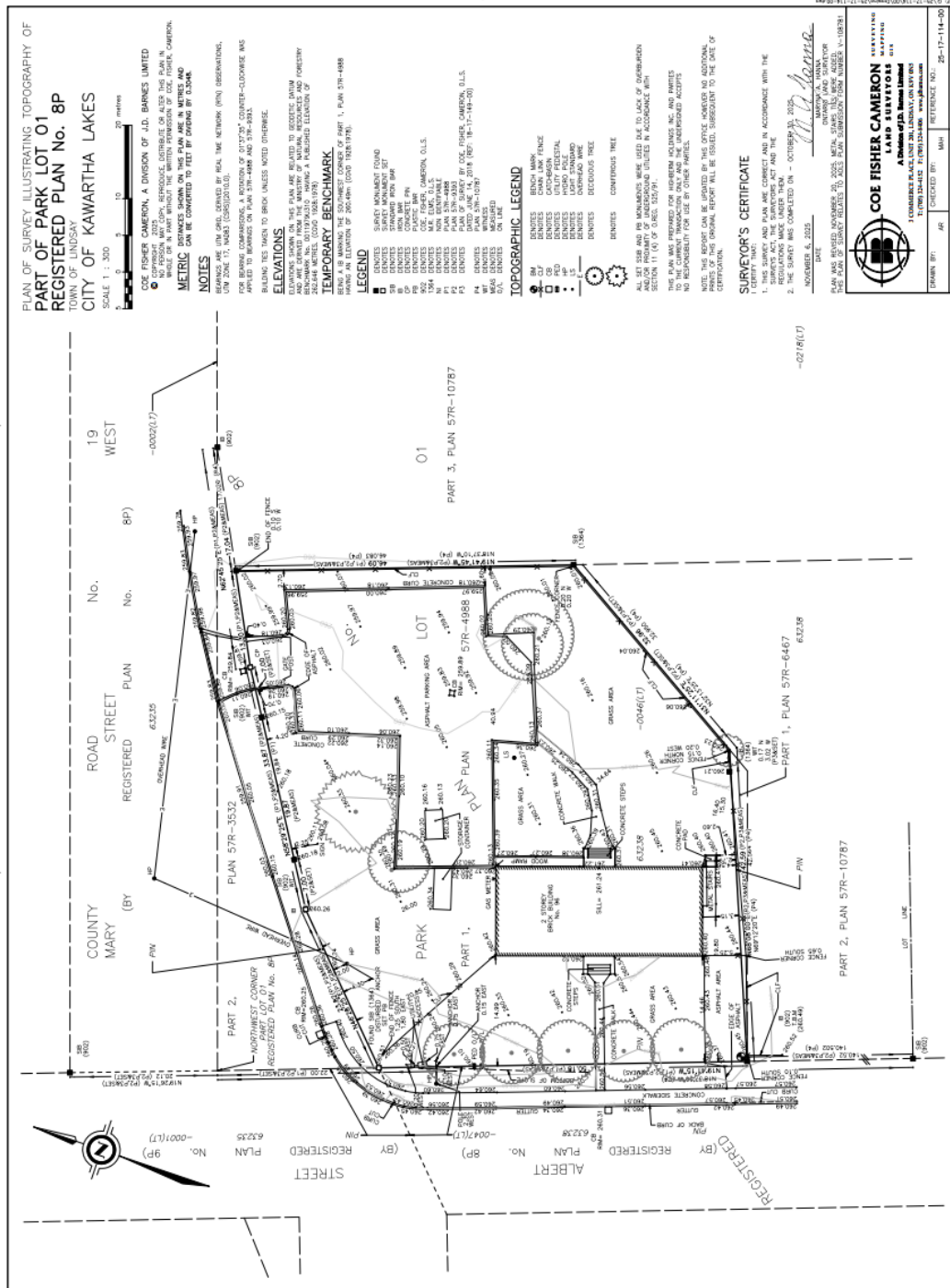
**Department Head:** Leah Barrie, Director of Development Services

**Department Head email:** [lbarrie@kawarthalakes.ca](mailto:lbarrie@kawarthalakes.ca)

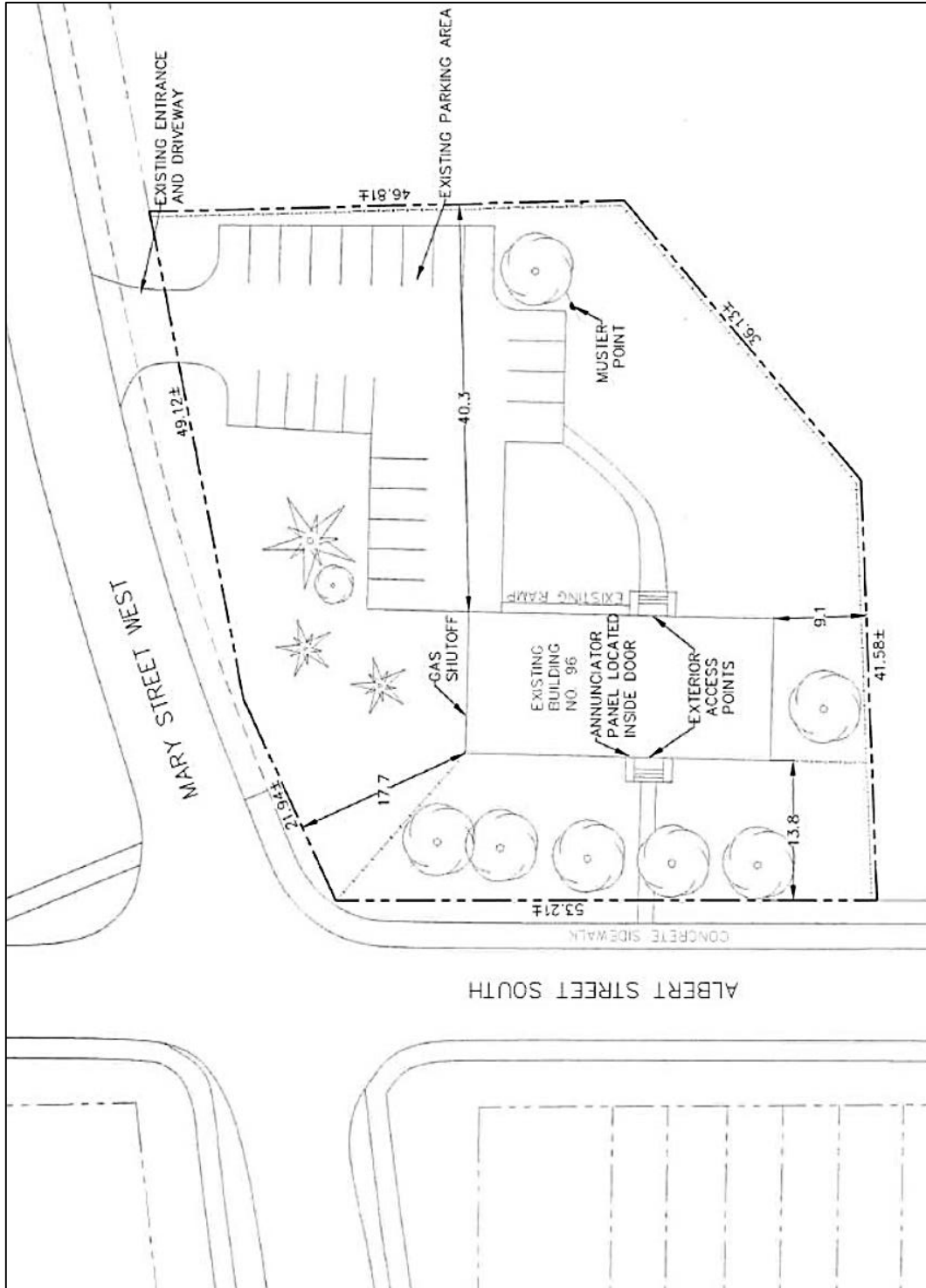
**Department File:** D01-2026-001 and D06-2026-003

**Schedule 1 – Existing Built Form**

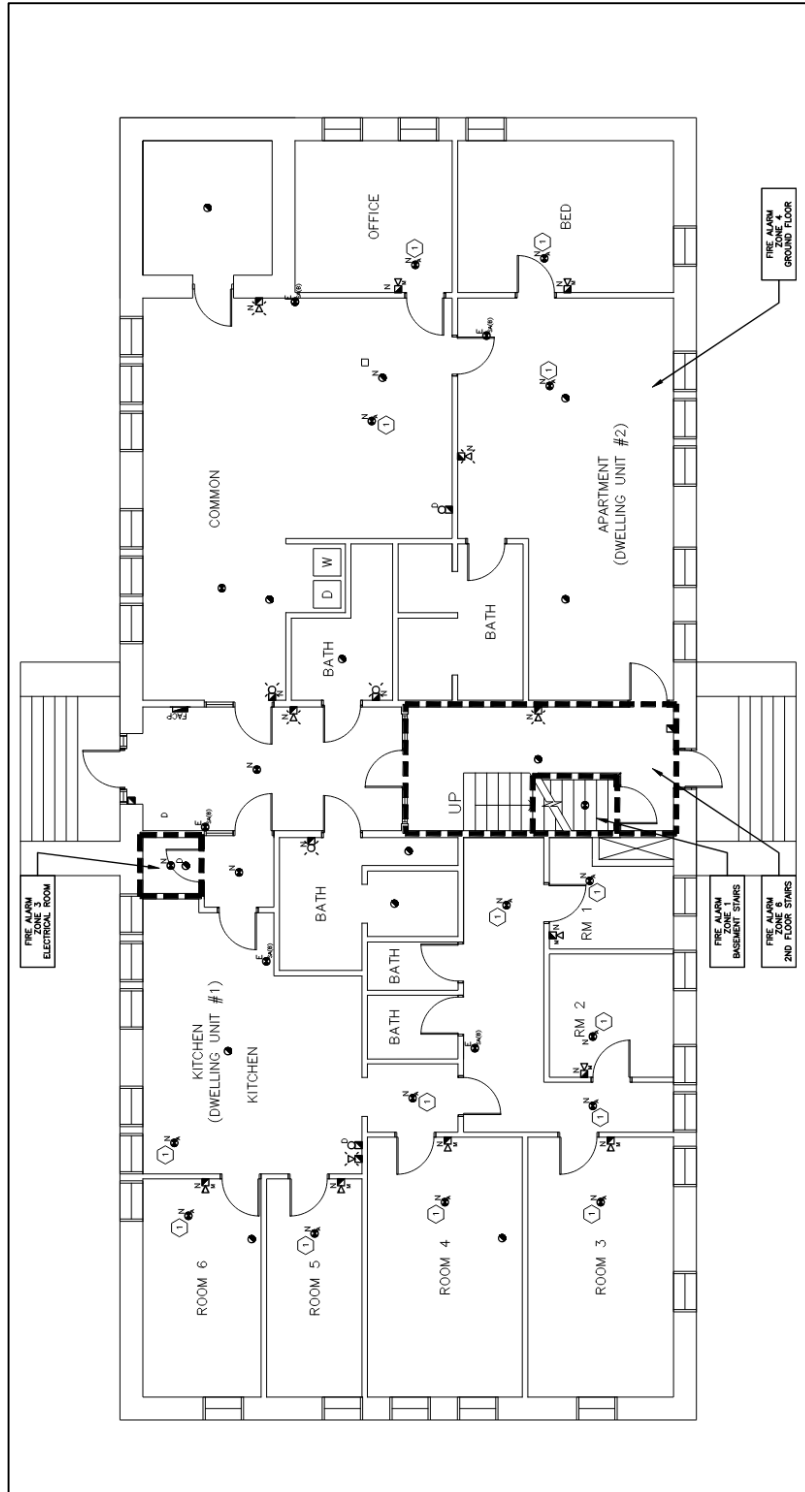
**Property Survey**



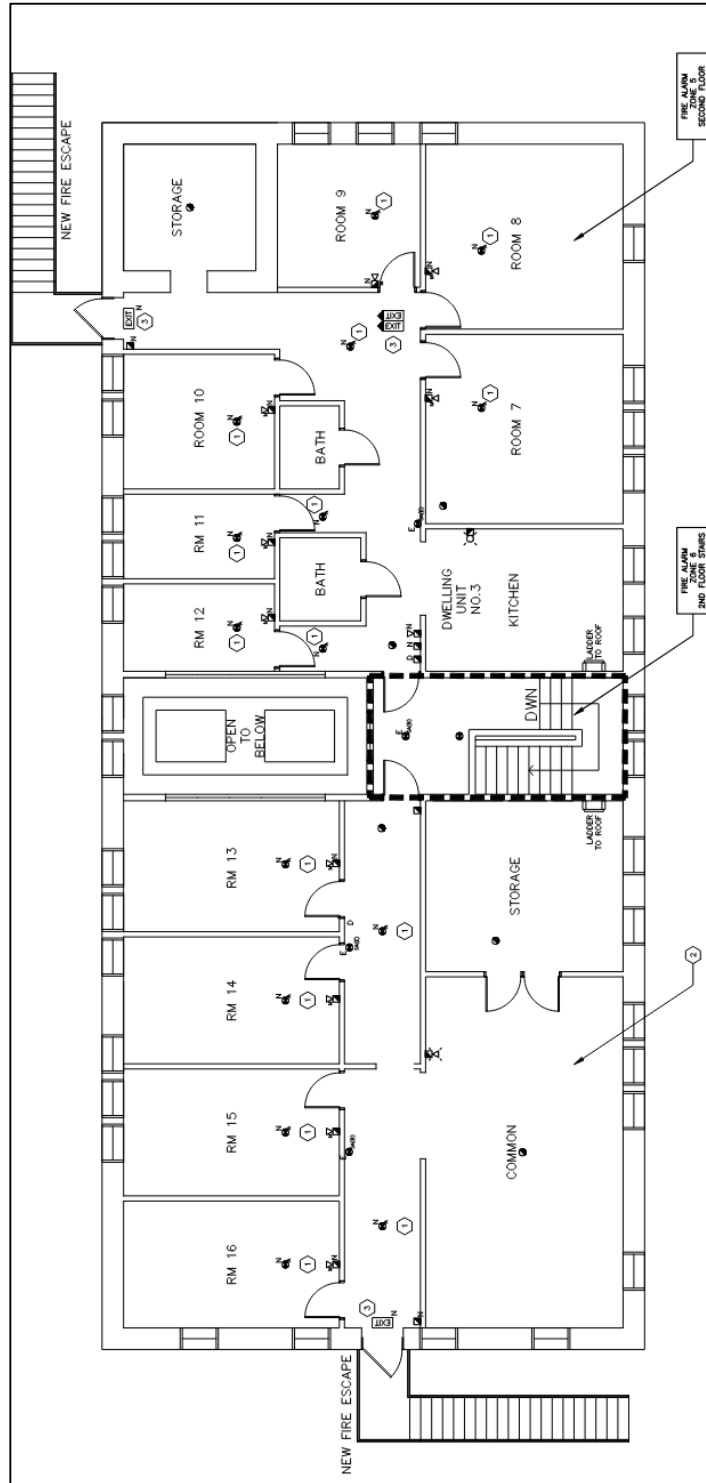
**Site Plan**



**Floor plans (first storey)**



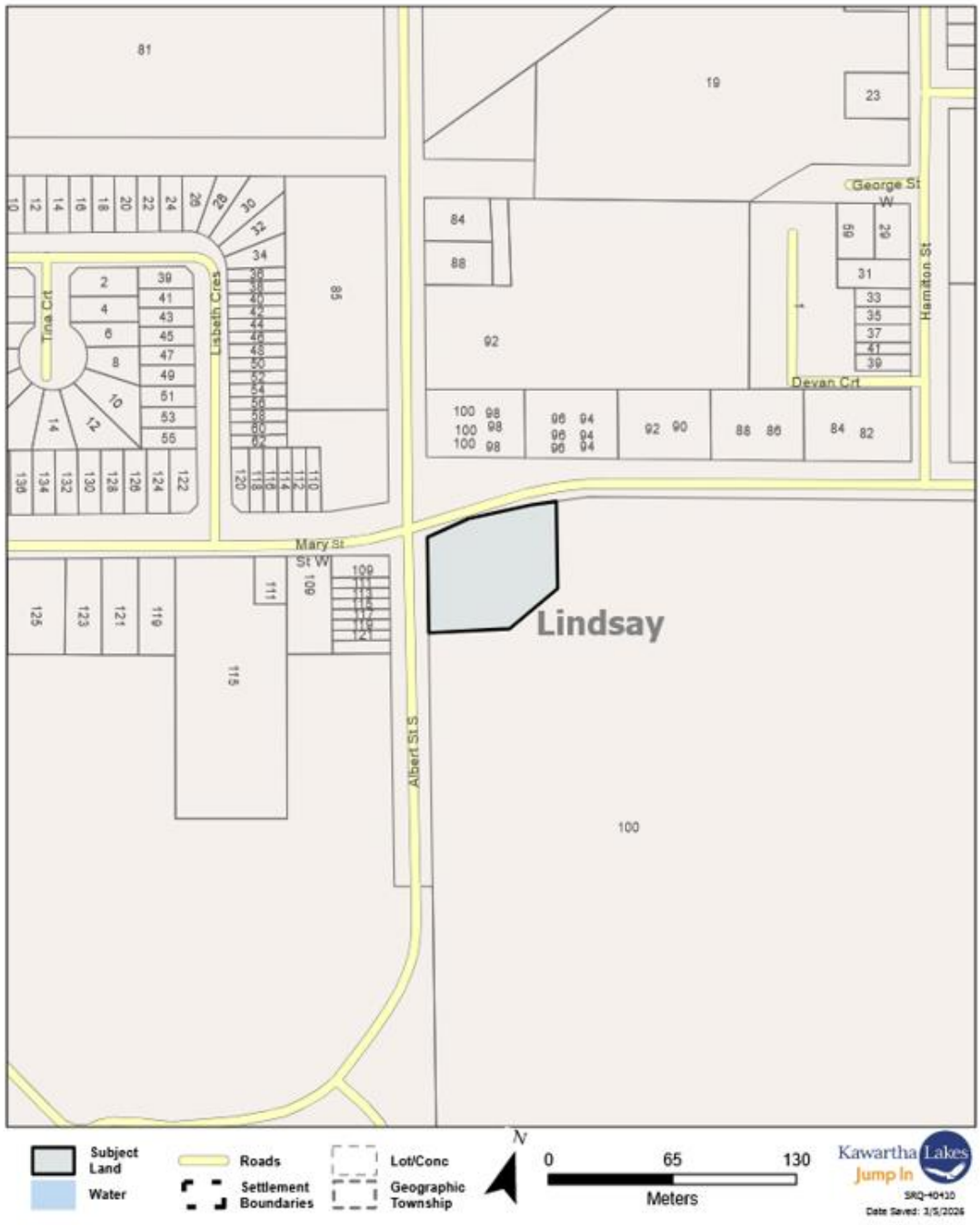
**Floor plans (second storey)**



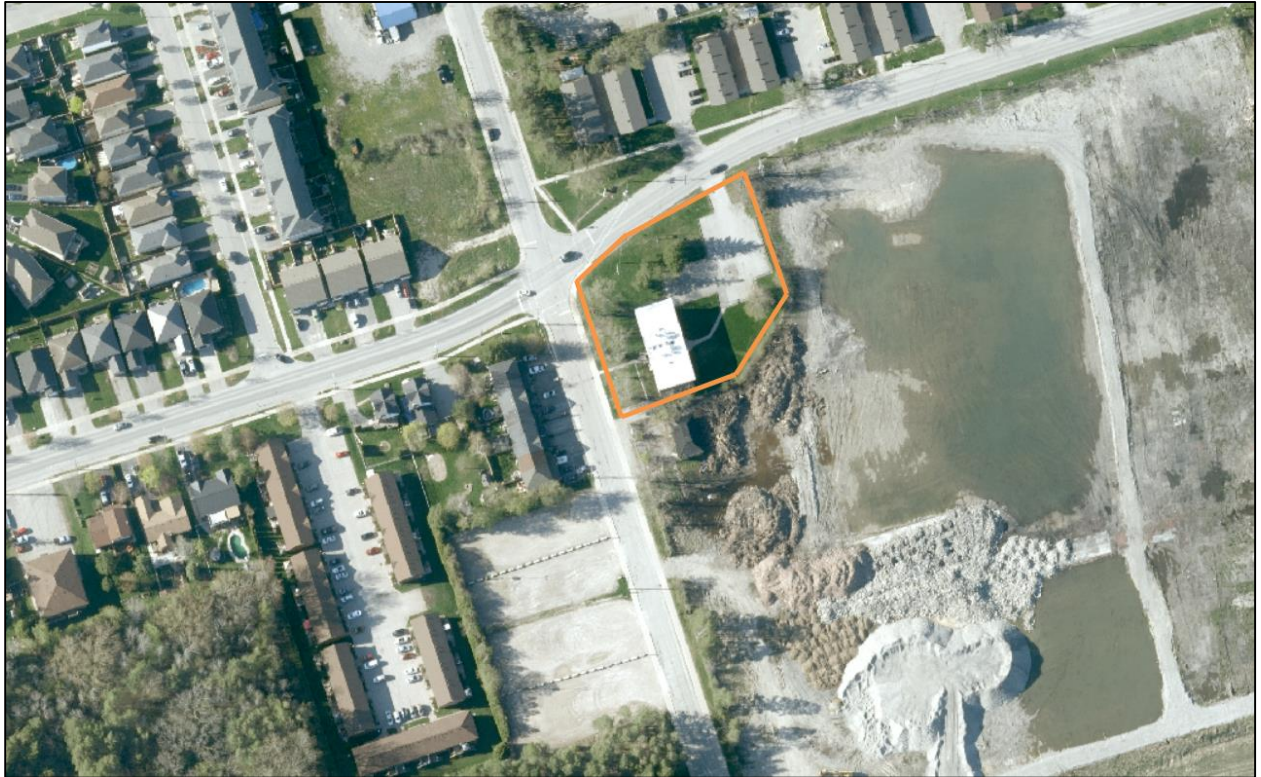
**Schedule 2 – Site Mapping**

**Location Map**

**D01-2026-001 & D06-2026-003**



**Aerial Map**



### **Schedule 3 – Provincial and Municipal Land Use Framework**

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#### **Provincial Planning Statement (PPS 2024)**

The Provincial Planning Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario’s policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

Municipal official plans are the most important vehicle for implementation of the Provincial Planning Statement and for achieving comprehensive, integrated and long-term planning. Official plans should coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial outcomes.

**City of Kawartha Lakes Official Plan**

The Official Plan is the City’s policy on how land in the community should be used. Prepared through a public consultation process, it sets strategic direction for land use development, environmental protection, and public infrastructure to attain its vision, goals and objectives.

The Official Plan implements provincial policies, and sets the municipal policy framework for applying the Zoning By-law.

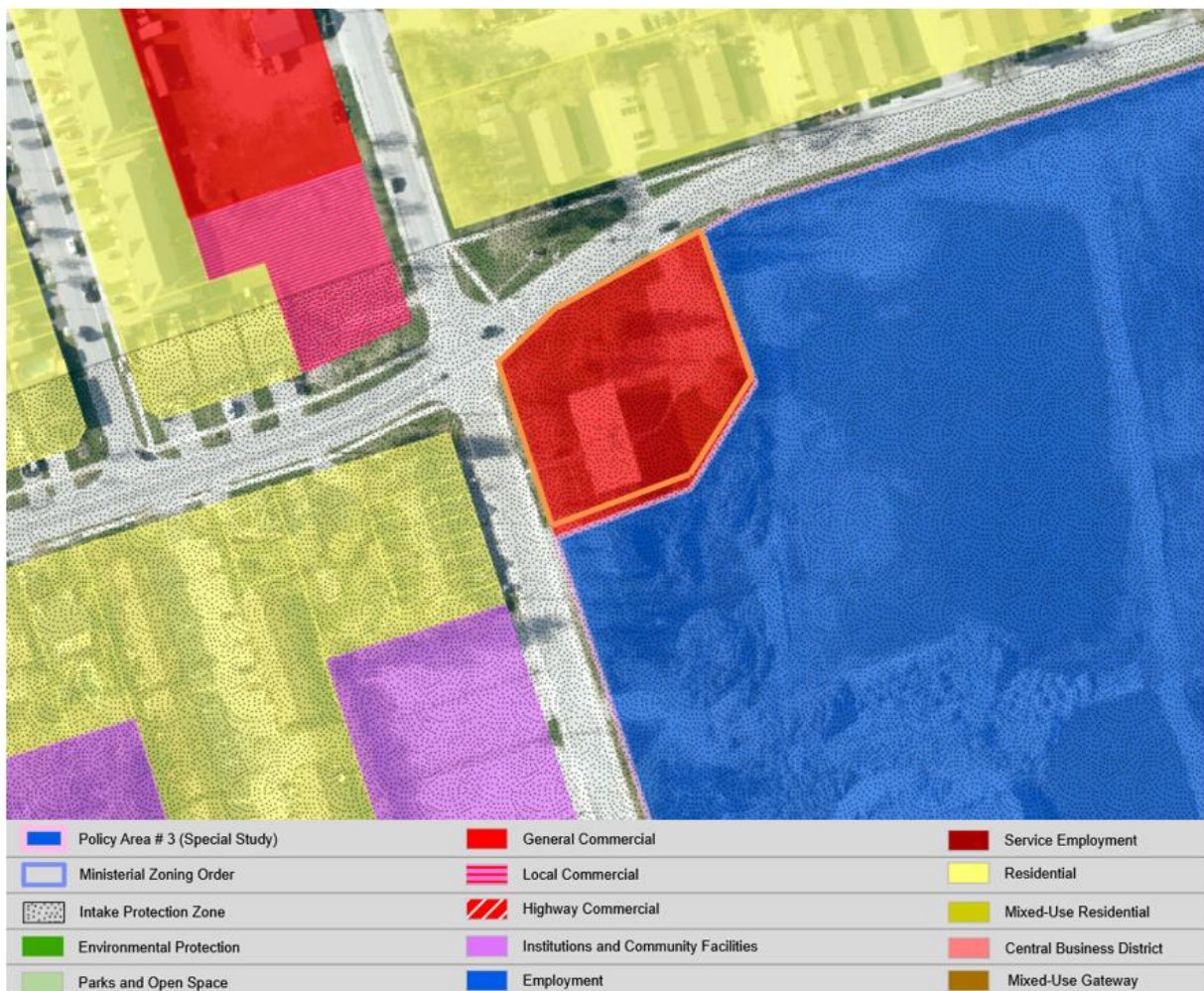
The Subject Lands are designated ‘Urban Settlement Area’ under Schedule A-3 of the City of Kawartha Lakes Official Plan.



## Lindsay Secondary Plan

The Lindsay Secondary Plan contains Lindsay specific policy on how land in the community should be used. Prepared through a public consultation process, it sets strategic direction for land use development, environmental protection, and public infrastructure to attain its vision, goals, and objectives.

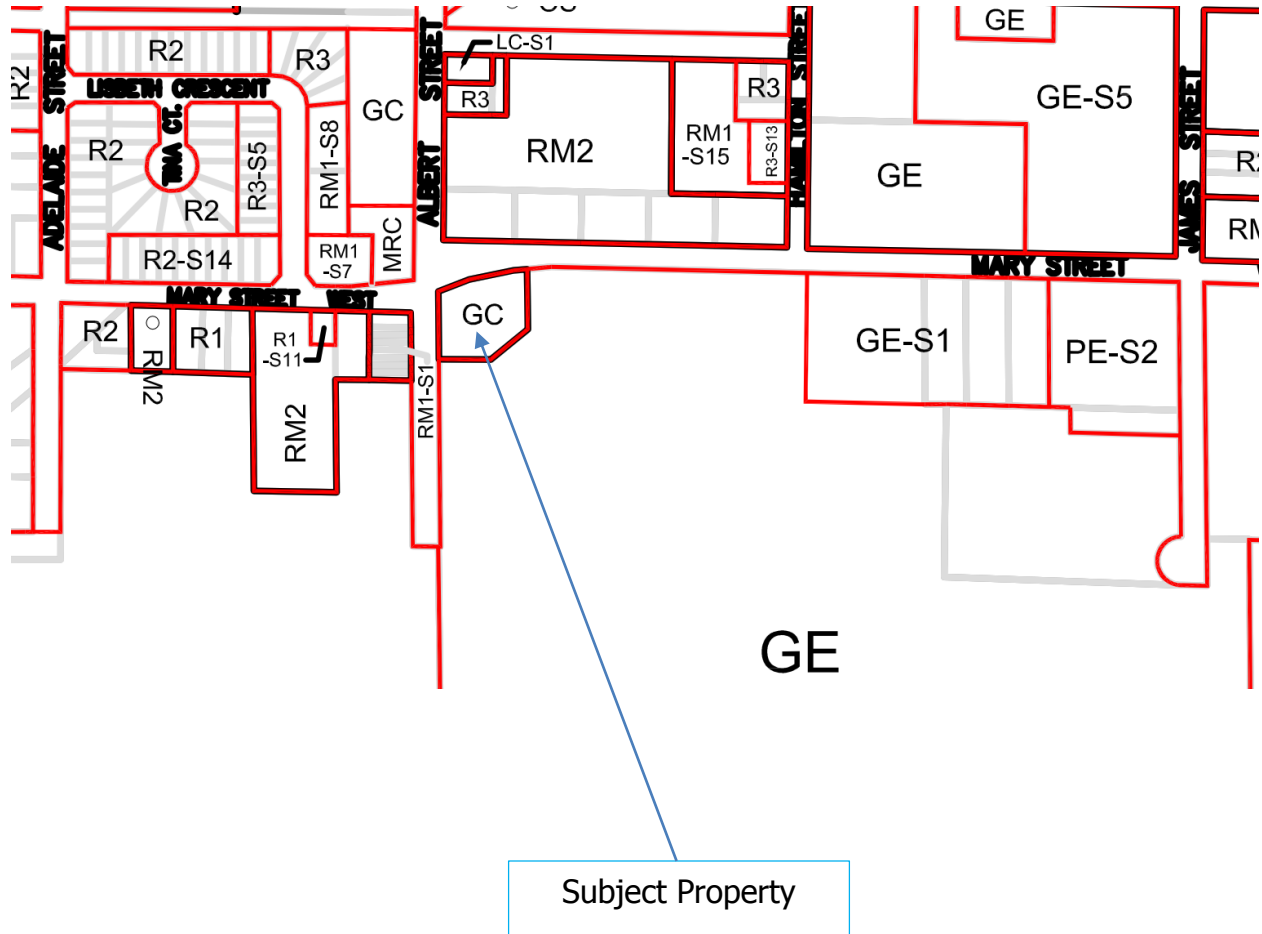
The Secondary Plan implements provincial policies, and sets the municipal policy framework for applying the Zoning By-law and supports the Official Plan. The Subject Lands are designated 'General Commercial' with 'Intake Protection Zone' under Schedule F-1 of the Lindsay Secondary Plan.



### Town of Lindsay Zoning By-law 2000-75

The Zoning By-law regulates the use of lands, buildings and structures and implements the Official Plan.

The Subject Lands are zoned 'General Commercial (GC) Zone' under Schedule 'A' of the Town of Lindsay Zoning By-law 2000-75.





## Planning Advisory Committee Report

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<b>Report Number:</b>	<b>PLAN2026-018</b>
<b>Meeting Date:</b>	April 8, 2026
<b>Title:</b>	<b>Application to Amend the Village of Bobcaygeon Zoning By-law 16-78 at 89 Prince Street West, Bobcaygeon - Kawartha Dairy</b>
<b>Description:</b>	Application to amend the Village of Bobcaygeon Comprehensive Zoning By-law 16-78 to permit the proposed expansion of a dairy manufacturing operation including a dairy retail store, outdoor patio, museum, and associated parking
<b>Type of Report:</b>	Regular Meeting
<b>Author and Title:</b>	Julio Sarti Caldeira, Planner, Dillon Consulting Limited (on behalf of the City of Kawartha Lakes)

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### Recommendations:

**That** Report PLAN2026-018, **Application to Amend the Village of Bobcaygeon Zoning By-law 16-78 at 89 Prince Street West, Bobcaygeon - Kawartha Dairy**, be received;

**That** a Zoning By-law Amendment respecting application D06-2024-012, substantially in the form attached as Appendix D to Report PLAN2026-018, be approved and adopted by Council; and

**That** the Mayor and Clerk be authorized to execute the documents required by the approval of this application.

**Department Head:** \_\_\_\_\_

**Legal/Other:** \_\_\_\_\_

**Chief Administrative Officer:** \_\_\_\_\_

**Background:**

<b>Owner:</b>	Kawartha Dairy Ltd. (Mallot Creek Group c/o Luke Slater)
<b>Applicant:</b>	Diana Keay, D.M.Wills and Associates
<b>Property Description<sup>1</sup>:</b>	<p><b>Manufacturing Operation:</b></p> <ol style="list-style-type: none"> <li>1. 89 Prince Street West; Plan 70, Part of Lots 11-13 West of John Street and East of Head Street; ARN 165102800140300; PIN 631300058</li> <li>2. 52 Joseph Street; Plan 70, South Part of Lot 11 West of Joseph Street; ARN 165102800113200; PIN 631300117</li> <li>3. 60 Joseph Street; Plan 70, North Part of Lot 11 West of Joseph Street; ARN 165102800113300; PIN 631300118</li> <li>4. W/S Joseph Street; Plan 70, Part of Lot 14 West of Joseph Street, Part of John Street; Parts 1 &amp; 2 of 57R-6871; ARN 165102800113401; PIN 631300060</li> <li>5. 82 Joseph Street; Plan 70, Part of Lot 14 West of Joseph Street; Part 3 of RP57R-6871; ARN 165102800113500; PIN 631300061</li> <li>6. E/S Head Street; Plan 70, Part of Lot 11, East of Head Street; ARN 165102800110800; PIN 631300057</li> <li>7. 103 Head Street; Plan 70, Lot 13 and Part of Lot 14; Part 1 of RP 57R-4231; ARN 165102800111000; PIN 631300056</li> <li>8. Parts 1, 2, 4-6, Part of John Street RP 57R-6391 (Closed by By-law 18-91, Instrument R283430); ARN 165102800113301; PIN 631300272</li> <li>9. 83 Prince Street West; Plan 70, Part of Lots 11 and 12, Part 1 on Reference Plan 57R-4253; ARN 165102800140305; PIN 63130005</li> </ol> <p><b>Proposed Museum:</b></p> <ol style="list-style-type: none"> <li>1. Part of Lot 10, Plan 70, Part 2 on Reference Plan 57R-2460; ARN 165102800140520; PIN 631300081</li> <li>2. 96 Prince Street West; Plan 70, Part of Lot 10 East of Head Street; ARN 165102800140600; PIN 631300066</li> </ol>

<sup>1</sup> See Schedule 2 – Site Mapping

	<p>3. 100 Prince Street West; Plan 70, Centre Part of Lot 10, East of Head Street; ARN 165102800140500; PIN 631300065</p> <p>4. 102 Prince Street West; Plan 70, Part of Lot 10, East of Head Street; ARN 165102800110700; PIN 631300064</p> <p><b>Proposed Off-Site Staff Parking:</b></p> <p>1. 82 Head Street; Plan 70, Lot 11, West of Head Street; ARN 165102800109500; PIN 631310139</p> <p>2. 94 Head Street; Plan 70, Lot 12, West of Head Street; ARN 165102800109600; PIN 631310140</p>
<b>Official Plan:</b>	<p>'Urban Settlement Area' in Schedule 'A-5' of the City of Kawartha Lakes Official Plan, 2012;</p> <p>'Intake Protection Zone 2' in Schedule 'C-2' of the City of Kawartha Lakes Official Plan, 2012;</p> <p>'Employment' and 'Residential' on Schedule F-2 of the Bobcaygeon Secondary Plan; and</p> <p>'EIS Flood Plan Hazard - 120m Buffer (KRCA)' on Schedule G-2 of the Bobcaygeon Secondary Plan</p>
<b>Zoning By-law:</b>	<p>'Restricted Industrial (M1)', 'Restricted Industrial Special Exception Two (M1-S2)', 'Urban Residential Type One (R1)', 'Urban Residential Type Two (R2)' on Schedule 'A' of the Village of Bobcaygeon Comprehensive Zoning By-law 16-78</p>
<b>Lot Area:</b>	<p>Manufacturing Operation: 1.79 hectares (4.43 acres)</p> <p>Proposed Museum: 0.29 hectares (0.72 acres)</p> <p>Proposed Off-Site Staff Parking: 0.41 hectares (1.01 acres)</p>
<b>Servicing:</b>	<p>Water: City owned and operated piped water.</p> <p>Sewage: City owned and operated individual sewage system.</p> <p>Storm Drainage: Sewers, swales.</p>
<b>Access:</b>	<p>Municipal – Local (Prince Street West, John Street, Head Street)</p>
<b>Existing Uses:</b>	<p>Manufacturing operation lands:</p>

	<p>A manufacturing plant and retail store are located at the main industrial building of 89 Prince Street West. Several storage containers are also located on the southwest portion. On the east side of the industrial building is storage and a single-detached dwelling at 83 Prince Street West, with access from Prince Street West. A single detached dwelling is located at 52 Joseph Street east of 83 Prince Street West. To the north are two adjacent employee entrances on Prince Street West, providing access to a gravel parking lot for employees located at 60 Joseph Street and to a single detached dwelling and storage building at 74 &amp; W/S Joseph Street. A single-detached dwelling with a separate entrance occupies the northwest portion of the Subject Lands, addressed as 103 Head Street.</p> <p>Proposed Museum lands:</p> <p>To the south of the main industrial building, on the south side of Prince Street West are four residential lots. 102 Prince Street West contains a single-detached dwelling; 100 Prince Street West is vacant; and the west portion of 96 Prince Street West is a single-detached dwelling while the east portion of 96 Prince Street West is an icehouse with parking.</p> <p>Proposed Off-Site Staff Parking lands:</p> <p>On the west side of the Head Street there are two single-detached dwellings.</p>
<p><b>Adjacent Uses:</b></p>	<p>North: Several residential lots developed in the form of single-detached dwellings. On the north side of North Street is Jermyn Lumber, TSL AutoStop, the Bobcaygeon Public School, and residential lots. Northeast of the property is Tommy Anderson Park on Duke Street.</p> <p>East: Several single-detached dwellings</p> <p>South: Several single-detached dwellings</p> <p>West: Bobcaygeon Senior Centre and further south on Head Street is a strip of single-detached homes and a bed &amp; breakfast establishment. A woodland area is located behind the Senior Centre and houses, with a wetland swamp located in the southern portion of the woods closer to Front Street West.</p>

**Rationale:**

The Applicant is proposing to rezone portions of the Subject Lands to facilitate the expansion of the existing Kawartha Dairy Manufacturing Plant (Kawartha Dairy). An addition to the manufacturing plant including a retail store and patio component is proposed for the properties linked to 89 Prince Street West. Many of the existing buildings will be demolished to facilitate the expansion. Portions of the existing manufacturing plant and freezer storage, homestead, and single-detached house used as an office at 82 Joseph Street, and the truck entrance from Head Street will be maintained.

A significant portion of the existing manufacturing plant will be demolished to make way for the proposed 6,502.7 square metres (69,994.8 square feet) addition. The resulting total Gross Floor Area will be 7,762.8 square metres (83,558.3 square feet), of which 6,860.2 square metres (73,842.9 square feet) will account for the industrial building footprint. The retail component of the manufacturing plant building at 89 Prince Street West is to be removed and a new retail store is proposed to be constructed at 52 & 60 Joseph Street. As proposed, the retail store would be 294.3 square metres (3,168.1 square feet) with access from Joseph Street and a driveway for deliveries on Prince Street West. The retail store will also include an outdoor patio area and parking spaces for customers.

The development of an off-site employee parking lot is proposed at 82 & 94 Head Street and a dairy museum is proposed at 96, 100 & 102 Prince Street West. Additionally, an existing water feature will be realigned to continue along the west end of the site and connect to the existing culvert located beneath the intersection of Prince Street West and Head Street.

The manufacturing operation is in lands zoned 'Restricted Industrial (M1)', 'Restricted Industrial Special Exception Two (M1-S2)', and 'Urban Residential Type Two (R2)'. To accommodate the proposed development, all parcels must be rezoned to the M1-S2 Zone, which will explicitly permit the retail store and patio to function in conjunction with the manufacturing plant. The amendment is also needed to update the site-specific M1-S2 regulations by amending the text of the By-law to accommodate the expanded footprint of the facility, specifically by addressing zoning deficiencies related to exterior side yard setbacks, rear yard setbacks, landscape buffer and watercourse yard setbacks, as will be further discussed in the policy conformity section.

The proposed museum and off-site staff parking uses are situated on lands zoned 'Urban Residential Type One (R1)' Zone and 'Urban Residential Type Two (R2)' Zone. These lands must be rezoned to the 'Central Commercial (C1)' Zone, as this category permits museums as well as public and private parking lots. The proposal otherwise aligns fully with the existing requirements of the C1 zone.

The proposed rezoning is essential to facilitate the expansion of the Kawartha Dairy manufacturing facility, alongside the new ancillary museum, retail, and parking uses. This development aligns with applicable provincial and municipal policies by promoting intensification and the efficient use of existing services within the Bobcaygeon settlement area.

The proposed development supports the growth of a specialized local trade, generating significant employment opportunities while ensuring that the built form remains compatible with Bobcaygeon's character. Ultimately, the proposed rezoning allows for a functional, modern expansion that supports the long-term viability of a key local business without dominating the surrounding landscape.

## **Policy Conformity:**

### **Provincial Planning Statement 2024 (PPS 2024)**

The PPS 2024 provides a policy framework for land use planning within the Province of Ontario.

The proposed expansion of the Kawartha Dairy facility conforms to the 2024 Provincial Planning Statement (PPS) by focusing growth and efficient land use within an established settlement area. Section 2.3.1 of the PPS 2024 dictates that settlement areas shall be the focus of growth and development, utilizing land use patterns that efficiently use land and resources while optimizing existing infrastructure.

Furthermore, the addition of a modernized manufacturing plant, retail store, and dairy museum aligns directly with Section 2.8.1 of the PPS 2024, which requires planning authorities to promote economic development and competitiveness. By intensifying existing employment uses, facilitating strategic investment, and providing opportunities for sustainable tourism and economic diversification, the proposal supports the long-term economic prosperity of the Bobcaygeon community.

The proposal also satisfies policies regarding land use compatibility and infrastructure management. Under Section 3.5 of the PPS 2024, major facilities and sensitive land

uses must be planned and developed to avoid, or minimize and mitigate, potential adverse effects from noise, odour, and other contaminants. The specialized technical studies submitted in support of the proposed development, such as noise and traffic assessments, demonstrate that potential impacts on surrounding residential uses will be effectively mitigated while ensuring the long-term operational viability of the major facility.

### **City of Kawartha Lakes Official Plan, 2012 (CKLOP)**

The Subject Lands are designated 'Urban Settlement Area' under Schedule 'A-5' of the CKLOP.

The proposed rezoning conforms to the City of Kawartha Lakes Official Plan by directing growth, intensification, and economic development to lands within the 'Urban Settlement Area Designation'. Within this designation, the Official Plan explicitly permits a wide range of uses, including industrial, cultural, and commercial activities, making it the appropriate context for the comprehensive expansion of the Kawartha Dairy operation. By intensifying an existing industrial operation and adding a retail store and new dairy museum, the proposal fulfills the Official Plan's overarching goals to maximize local employment opportunities, diversify the economic base, and promote the City as a premier tourist destination.

Furthermore, the proposal satisfies the land use compatibility and employment policies applicable under the 'Urban Settlement Area Designation'. The Official Plan mandates that employment areas and industrial developments must be sensitively integrated, with adequate buffering and separation, to prevent adverse impacts on adjacent residential and sensitive land uses. Specialized technical studies prepared in support of the proposal demonstrate that the proposed development conforms to these directives through appropriate mitigation measures – such as acoustic barriers and landscape screening – ensuring the protection of the surrounding neighbourhood. The proposed expansion is also planned to efficiently utilize existing municipal water, sanitary, and stormwater infrastructure, which is the preferred form of servicing for major facilities within urban settlement areas.

Finally, the development respects the environmental and cultural heritage policies outlined for the 'Urban Settlement Area Designation'. The inclusion of a dairy museum aligns directly with the Official Plan's objectives to conserve cultural heritage resources, maintain community identity, and promote these elements as unique tourist attractions.

## **Bobcaygeon Secondary Plan**

When the Zoning By-law Amendment application was initially filed in 2024, the Bobcaygeon Secondary Plan policies were actively under appeal at the Ontario Land Tribunal, meaning the older Victoria County Official Plan policies had to be applied on an interim basis. Since that time, the Bobcaygeon Secondary Plan has been approved by the Tribunal and now forms part of the CKLOP. Because the Bobcaygeon Secondary Plan is now the legally in-effect planning document governing the settlement area, the proposed development must be analyzed for conformity against its current policies rather than the superseded Victoria County Official Plan.

The Subject Lands are designated 'Employment' and 'Residential' under the Bobcaygeon Secondary Plan on Schedule 'F-2'.

The lands where the manufacturing operation is located are mainly designated 'Employment' under the Bobcaygeon Secondary Plan, with the exception of 52 and 60 Joseph Street, which are designated 'Residential', and the unopened John Street road allowance, which carries no designation. The CKLOP contains an "Interpretation" section which applies to all Secondary Plans. According to Section 29.1.1, land use designation boundaries are generally considered approximate and are absolute only where bounded by roads, railways, rivers, lakes, or other similar geographical barriers. Furthermore, Section 29.1.2 permits minor adjustments to these approximate land use boundaries without requiring an Official Plan Amendment, provided the overall intent of the Plan is preserved. The current boundaries between these designations follow existing parcel lines, which will be eliminated once the parcels are merged through a concurrent Deeming By-law application. Therefore, through the interpretation of these boundaries and the merging of the lots, the predominant 'Employment' designation can be applied to all contiguous parcels where the manufacturing operation is located.

The Kawartha Dairy plant expansion is aligned with the land use permissions given in the 'Employment' designation, which permits a wide range of employment uses, including manufacturing, processing, warehousing, and shipping. Furthermore, the designation allows for commercial activities as an accessory use, making it the appropriate land use category to accommodate the proposed dairy retail store and patio component. In accordance with the design and land use compatibility policies applicable under the 'Employment' designation, the development incorporates necessary buffering, increased setbacks, and landscaping to protect adjacent residential areas and sensitive land uses.

The proposed manufacturing operation and retail store conform to the permitted uses and development standards of the 'Employment' designation under the Bobcaygeon Secondary Plan.

Similarly, the four parcels proposed to accommodate the new dairy museum and its associated parking area face a comparable split-designation issue, as they currently fall under a mix of 'Employment' and 'Residential' designations. Relying on the same Interpretation policies of the CKLOP (Sections 29.1.1 and 29.1.2), the boundaries between these land use categories are considered approximate and can be subjected to minor adjustments without requiring a formal Official Plan Amendment. The 'Employment' designation can be applied across the entirety of the museum site, establishing a uniform land use framework that preserves the overall intent of the Bobcaygeon Secondary Plan.

The Bobcaygeon Secondary Plan explicitly permits commercial activities as an accessory use under the list of permitted uses for the 'Employment' designation specified in Section 31.3.3.3.1 of the CKLOP. This allows the museum to function as a complementary commercial and tourism-related extension of the primary Kawartha Dairy manufacturing campus.

Furthermore, the proposed development respects applicable compatibility standards specified for the 'Employment' designation in Section 31.3.3.3.5 in the CKLOP by providing adequate buffering – including increased setbacks, landscaping, and screening – to protect adjacent residential and sensitive land uses.

The siting of the proposed employee parking lot on lands designated 'Residential' is acceptable because the proposed use functions as an essential, complementary component of the overall Kawartha Dairy expansion while utilizing design measures to protect the surrounding neighbourhood. The parking lot represents an efficient development and land use pattern within the settlement area. By utilizing these specific parcels to accommodate the employee parking area, the proposal ensures that adequately sized and safely located off-street parking is provided for the expanding operations, fulfilling municipal parking requirements and preventing employee vehicles from overcrowding local residential streets.

The parking lot site design also adheres to applicable land use compatibility policies specified in Section 31.32.2.10 in the Bobcaygeon Secondary Plan. The design incorporates a setback abutting the remaining residential properties. The proposed staff parking lot respects the natural features of the area by maintaining a buffer from the

adjacent watercourse and wetland, as recommended by the Environmental Impact Study.

### **Village of Bobcaygeon Comprehensive Zoning By-law 16-78**

The lands where the manufacturing operation is located are zoned 'Restricted Industrial (M1)', 'Restricted Industrial Special Exception Two (M1-S2)', and 'Urban Residential Type Two (R2)'.

The proposed Zoning by-law Amendment will expand the M1-S2 zone to the entire portion of the Subject Lands occupied by the manufacturing operation. The M1-S2 zone allows for any manufacturing or industrial use, as well as a business or professional office incidental to a manufacturing or industrial use. However, the existing homestead located at 83 Prince Street West and the proposed dairy retail store and outdoor patio are not permitted uses under the M1-S2 zone.

The proposed site-specific zoning would modify the M1-S2 permissions to permit a retail store selling the owner's-brand-related products and goods, including outdoor seating. This will allow the proposed uses to operate in conjunction with the manufacturing plant. In addition, the proposed amendment adds "Dwelling accessory" to the list of permitted uses under the M1-S2 site-specific zone so as to allow the existing homestead located at 83 Prince Street West to remain legally on the newly consolidated manufacturing property.

The proposed development contains elements that do not conform to the current M1-S2 Zone regulations. For the main manufacturing building, the non-conforming provisions include:

- **Landscape Buffers:** The proposed exterior side yard landscape buffer is 1.0 metre where the requirement is a minimum of 3.0 metres, and the front yard landscape buffer is 1.60 metres where the requirement is a minimum of 3.0 metres;
- **Exterior Side Yard Setback:** The distance between the proposed building and Joseph Street will be 5.95 where the requirement is a minimum of 8.0 metres, The applicant proposes the exterior side yard setback to be reduced to 5.5 metres; and
- **Setback from any identified water course top of bank:** The distance between the realigned watercourse and the nearest proposed building wall will be 5.93 metres where the requirement is a minimum of 6.0 metres. The applicant proposes that the watercourse setback requirement be reduced to 5.5 metres.

The proposed exterior side and front yard landscape buffer reductions (to 1.0 and 1.6 metres, respectively) apply mainly to the new retail store and parking area along the Joseph Street and Prince Street West frontages. Because the main factory produces more noise and odour than the retail store and outdoor patio, this retail space functions as a lower-impact, transitional commercial interface with the public street. As an accessory commercial use that generates fewer externalities than the main factory, applying the reduced landscape buffer requirements aligns with general land use compatibility goals. It enables an efficient design that adequately accommodates parking, which is crucial given that this lot provides spaces for both retail customers and overflow for the manufacturing facility.

The relief requested to reduce the minimum easterly exterior side yard setback from 8.0m to 5.5m is a direct result of the irregular lot geometry caused by the non-orthogonal intersection of Joseph Street and Prince Street West. Because of this angled lot line, a corner of the expanded manufacturing building will encroach into the required setback area. Granting this minor reduction will continue to comply with the general intent of the M1-S2 Zone to ensure a functional industrial campus.

The requested reduction of the watercourse setback from 6.00 metres to 5.50 metres is appropriate because the existing intermittent watercourse is being comprehensively realigned. This reduction safely accommodates the building expansion while complying with the 5.0-metre buffer specifically recommended for the newly constructed channel by the scoped Environmental Impact Study (EIS).

For the office site, the non-conforming provisions include:

- Rear Yard Setback: The distance between the office building and the rear lot line will be 4.35 metres where the requirement is a minimum of 6.0 metres, The applicant proposes the rear yard setback to be reduced to 4.0; and
- Exterior Side Yard Setback: The distance between the office building and Joseph Street will be 5.72 metres where the requirement is a minimum of 8.0 metres, The applicant proposes the exterior side yard setback to be reduced to 5.5 metres.

The existing building located at 82 Joseph Street, which will be maintained and adaptively reused as an office, was identified as an historic residence and evaluated in the Cultural Heritage Evaluation Report (CHER) submitted with the application. Under the existing lot configuration, the lot line that separates 82 Joseph Street and 90 Joseph Street is considered a side lot line. However, as a result of the Deeming By-law application, the same lot line will become the farthest from the front lot line

located at Prince Street West, and will then be considered a rear lot line. Similarly, the lot line that separates 82 Joseph Street and the right-of way is currently considered a front lot line; however, as a result of the Deeming By-law application, the same lot line will then be considered an exterior side lot line. The requested setbacks of 4.35 metres from the rear lot line and 5.72 metres from the exterior side lot line are required to recognize the existing physical footprint and location of the structure. Granting relief from the standard industrial zone setbacks is appropriate and desirable in this instance, as it facilitates the conservation and retention of this historic building without requiring physical alterations to its established location.

The lands proposed for the new dairy museum, located at 96, 100, and 102 Prince Street West, are currently zoned 'Urban Residential Type Two (R2)'. Because the R2 zone strictly permits only residential dwelling types, a museum and its associated visitor parking lot are not permitted under the current zoning. To legally establish the proposed development, the applicant is proposing to change the zoning of these parcels to the 'Central Commercial (C1)' Zone. Section 11.1 of the Village of Bobcaygeon Comprehensive Zoning By-law 16-78 explicitly lists both a 'Museum or library' and 'Public and private parking lots' as permitted uses within the C1 zone. This rezoning is appropriate from a land-use planning perspective because it allows for a museum that will function as a complementary community and cultural facility that celebrates the region's dairy production history, enhances local tourism, and logically integrates with the broader Kawartha Dairy campus expansion across the street.

The portion of the Subject Lands occupied by the proposed off-site employee parking lot, located at 82 and 94 Head Street, is currently zoned 'Urban Residential Type One (R1)'. Under Section 5.1 of the Village of Bobcaygeon Comprehensive Zoning By-law 16-78, the R1 Zone only permits uses such as single-family detached dwellings, home occupations, and parks, meaning the proposed parking use is not permitted. To legally establish the parking area, the applicant proposes to rezone these parcels to the 'Central Commercial (C1)' Zone, which explicitly permits 'public and private parking lots' under Section 11.1. This rezoning is appropriate because it ensures the provision of adequate off-street parking to accommodate the expanding Kawartha Dairy manufacturing operations, which is especially critical since the new plant expansion will consume the existing staff parking area.

Throughout the current rezoning process, the proposed employee parking lot on Head Street has undergone minor design revisions since the original submission.

Specifically, the site plan was revised to respect and increase the environmental buffers protecting the adjacent wetland and woodland. To accommodate these enhanced natural buffers, parking stalls were eliminated from the original design.

Following the approval of the Zoning By-law Amendment, the proposal will proceed to a subsequent Site Plan Application stage, where more comprehensive design details will be provided. This upcoming stage will address outstanding comments from the Development Engineering Division and finalize technical mitigation measures.

### **Other Alternatives Considered:**

No alternatives have been considered.

### **Alignment to Strategic Priorities:**

The four strategic priorities identified in the 2024-2027 Kawartha Lakes Strategic Plan are as follows:

1. A Healthy Environment
2. An Exceptional Quality of Life
3. A Vibrant and Growing Economy
4. Good Government

The proposed Zoning By-law Amendment supports a vibrant and growing economy by facilitating the comprehensive expansion of the Kawartha Dairy manufacturing plant, which encourages sustainable growth, job creation, and long-term economic prosperity. The proposed development supports the future of dairy processing in the community and enhances local economic competitiveness.

The addition of a new retail store and a dedicated dairy museum will generate new employment opportunities and support the local tourism industry.

In terms of fostering an exceptional quality of life, the proposed development introduces a new community and cultural facility through the dairy museum, which will offer educational experiences celebrating the region's agricultural and dairy production history.

## **Financial/Operation Impacts:**

There are no financial considerations unless Council's decision is appealed to the Ontario Land Tribunal. In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

## **Consultations:**

The Planning Division received the application submission package on April 25, 2024 which included the following reports and plans in support of the application:

- Completed Application Form, dated April 17, 2024;
- Draft Zoning By-law Amendment;
- Letter to Agencies, prepared by CKL, dated May 23, 2024
- Noise & Vibration Impact Study, prepared by RWDI Consultants, dated November 2023;
- Restricted Land Use Notice, prepared by Kawartha Conservation, dated April 16, 2024;
- Traffic Impact Study, prepared by D.M. Wills, dated November 2023;
- Preliminary Flood Study, prepared by Sanchez Engineering Inc., dated June 2021;
- Phosphorus Loading Assessment, prepared by D.M. Wills, dated December 2023;
- Topographic Survey, prepared by IBW, dated November 25, 2021;
- Functional Servicing and Stormwater Management Report, prepared by Mallot Creek Group, dated November 3rd, 2023;
- Cultural Heritage Evaluation Report, prepared by MHBC, dated January 2022;
- Cultural Heritage Impact Assessment, prepared by MHBC, dated March 2022;
- Environmental Impact Study, prepared by Mallot Creek Group, dated June 2021;
- Planning Justification Report, prepared D.M. Wills, dated April 2024;
- Natural Channel Design Report, prepared by D.M Wills, dated June 2021;
- Neighbourhood Open House Summary, prepared by D.M Wills, dated March 2024;
- Preliminary Building Elevations (A1 – A7), prepared by Christopher Z Tworkowski, dated October 2021;
- Geotechnical Investigation, prepared by Cambium Inc., dated August 21st 2021;
- Hydrogeological Assessment, prepared by Cambium Inc., dated August 2021;
- Elevation and Floor Plan design (A2.10, A2.20, AS.10) prepared by Mallot Creek Group, dated June 2023;
- Plan of Survey, prepared by IBW Surveyors, dated November 2021; and,
- Site Plan (C2.10 & C2.11), prepared by Mallot Creek Group, dated June 2023.

Staff deemed the application 'complete' under the requirements of the Planning Act on May 23, 2024, and initiated Agency consultation on May 23, 2024 with a requested

review period of the application submission package by June 13, 2024. All of the reports and plans submitted have been circulated to the applicable agencies and City Departments for review and comment.

The public has been notified of the application through circulation of the Notice of Public Meeting on July 12, 2024.

The following comments were provided by agencies during this consultation period:

**Planning** – reviewed the proposal and asked the applicant to clarify how some of the proposed buildings and structures meet the applicable zoning provisions.

**Development Services (Natural heritage)** – reviewed the proposal and noted several concerns with the Scoped Environmental Impact Study. The applicant has met with the ecologist to discuss these concerns and is revising their EIS as required.

**Building and Septic** – reviewed the proposal and has no concerns or objections.

**Development Engineering** – reviewed the proposal and have provided comments. They presented no objection to the proposed Zoning By-law, and expect their comments to be addressed at a Site Plan stage.

**Fire Prevention** – reviewed the proposal and had no concerns or objections.

**Ecology (Dillon Consulting)** – reviewed the Environmental Impact Study and recommended conducting a suite of missing technical surveys to accurately determine the presence of significant wildlife habitat and species at risk. The study needed to include an evaluation of the onsite wetlands, an assessment of the woodland to the west of Head Street, and a formal compensation and restoration plan for any proposed woodland removal.

The following comments from members of the public were received:

**Alivia Nelson** – requested clarification via email about the map presented in the Notice of Public Meeting. Staff replied clarifying current zoning and proposed zoning for all parcels contemplated by the application.

The file was presented at Planning Advisory Committee on August 7, 2024 through Report PLAN2024-049, received for information purposes only. Staff recommended the application to be referred back to staff until refinements to the Zoning By-law Amendment and respective technical studies have been addressed, specifically as it

relates to zoning deficiencies and Natural Heritage considerations. The following comments were presented at the Planning Advisory Committee meeting:

**Craig James** – requested general information about the magnitude of the proposed development and demonstrated concerns regarding traffic, proximity to a school, safety issues, and decrease in property value.

**Craig Bradley** – demonstrated concerns about traffic increase, decrease in property value, safety for school crossing, and noise due to truck traffic and back-up alarms. Demonstrated no concerns with diverting the creek that currently runs through his property.

Diana Keay was present at the August 7, 2024 Public Meeting as the applicant. Ms. Keay replied to both Mr. James and Mr. Bradley stating that the expansion is proposed to be just over an additional 5,000 square metres and noting that truck traffic is proposed to be directed north to North and Duke Streets. It was also noted that there would be reduced times for truck traffic from the current 24-hour usage.

No further comments from the public were received.

On September 23, 2024, a second submission was made, which included the following reports and plans:

- Resubmission Letter, prepared by D.M. Wills, dated September 23, 2024;
- Agency Comment Response Matrix, prepared by D.M. Wills, dated September 23, 2024;
- Public Comment Response Matrix, prepared by D.M. Wills, dated September 23, 2024;
- Functional Servicing & Stormwater Management Report, prepared by Mallot Creek Group Inc., dated September 6, 2024
- Revised Civil and Site Plan Package, prepared by Mallot Creek Group Inc., dated June 2023.

On October 2, 2024, the Development Engineering Department from the City of Kawartha Lakes has confirmed that external peer review of the submitted Traffic Impact Study (TIS) would be required. On December 17, 2024, the City of Kawartha Lakes' ecology external consultant, Dillon Consulting Limited, determined that an approved Environmental Impact Study (EIS) is required at the rezoning stage, not at site plan stage. The following materials were submitted to complement the second submission:

- Traffic Impact Study – Addendum, prepared by D.M. Wills, dated December 11, 2024;
- Environmental Impact Study, prepared by Mallot Creek Group Inc., dated January 2025.

A second circulation took place on January 27, 2025, including the addendum to the Traffic Impact Study and the revised Environmental Impact Study. The following comments were received during this circulation:

**Planning** – asked the applicant to clarify the existing and proposed zoning, and asked for clarification regarding parking.

**Economic Development (Heritage)** – supports the Cultural Heritage Evaluation Report’s recommendation to demolish 96 Prince Street West and the retention of 83 Prince Street West and 82 Joseph Street. The site has been identified as having archaeological potential so an archaeological assessment can be added as a condition of site plan approval.

**Economic Development (Business)** – is generally supportive of Kawartha Dairy’s Zoning By-Law Amendment application. As a key economic driver, the growth of manufacturing facilities – particularly in food processing – is a priority action within the Economic Development Strategy. The consolidation of the production campus will enable the necessary expansion of production facilities, the addition of a modern and welcoming retail store, and the creation of a dairy museum, while also enhancing buffering and visual appeal for the surrounding residential area. This application will help secure the future of dairy processing in our community by supporting modernization and innovation in dairy manufacturing.

**Huron-Wendat Nation** – requests to participate in the fieldwork for the Archaeological Assessment.

**Alderville First Nation** – noted that the area in which this project is proposed is situated within the Traditional Territory of Alderville First Nation. They noted that there may be the presence of burial or archaeological sites in the proposed project area.

**Kawartha Region Conservation Authority** – presented no concerns with the approval of rezoning application; however, a few items were listed to be addressed at a future site plan stage.

**Development Engineering** – has no objection to the proposed Zoning By-law Amendment to permit a dairy manufacturing operation, a dairy retail store, outdoor

patio, museum and parking. Detailed Engineering review and comments will be provided at the time of Site Plan Approval, this will include any additional sanitary process discharge review required by the City's Public Works Water and Wastewater Division and any additional traffic review.

**Traffic Impact Study Peer Review** – approval of the TIS and site plan at this time cannot be recommended as further details and clarification are required on the materials. As discussed with Development Engineering, approval of the TIS will only be required at site plan stage.

**Ecology (Dillon Consulting)** – recommended that the EIS address outstanding deficiencies by completing pending field investigations, including amphibian breeding surveys and a comprehensive vegetation inventory. Advised that the author must formally evaluate the onsite wetlands and woodlands for provincial significance to inform supportable ecological buffer widths. Other recommendations include consulting with the Ministry of the Environment, Conservation and Parks (MECP) regarding the endangered Black Ash, adhering to the Migratory Bird Regulations for protected Pileated Woodpecker nesting cavities, and obtaining confirmation from the Department of Fisheries and Oceans (DFO) regarding potential impacts on fish habitat from the proposed watercourse realignment.

On June 19, 2025, the applicant provided the following documents:

- An EIS Comment Response Matrix with detailed responses, latest responses dated June 17, 2025; and
- Revised Site Plan (C2.11 & C3.21), prepared by Mallot Creek Group, dated June 2023, last updated June 16, 2025.

The external consultant acknowledged that significant progress has been made, particularly with the completion of required field investigations and the formal classification of the onsite woodland as "significant" and the wetland as "provincially significant". However, the author still needed to address several deficiencies before the EIS could be recommended for approval, such as confirming consultation with the Department of Fisheries and Oceans (DFO) regarding fish habitat in the drainage feature and addressing the Ministry of the Environment, Conservation and Parks (MECP) requirements for the 30-metre buffer protected for endangered Black Ash habitat. It was recommended that the applicant submit a revised EIS to address outstanding comments to the satisfaction of the City.

On January 19, 2026, the applicant provided the following documents:

- A copy of the completed Request for Review (RFR) submitted to the Department of Fisheries and Oceans (DFO), dated December 15, 2025;
- An EIS Comment Response Matrix with detailed responses, latest responses dated December 18, 2025; and
- An updated EIS, latest revision dated December 18, 2025.

The revised EIS, dated December 18, 2025, was recommended for approval. The external consultant noted during the Peer Review that the vast majority of previous concerns regarding field investigations, natural feature evaluations, and mitigation measures have been addressed. They also noted that the applicant successfully integrated required discussions on the Migratory Bird Regulations, candidate Significant Wildlife Habitat, and the Fisheries Act. The City's reviewer confirmed the comment Regarding Black Ash trees had been addressed as the applicant updated the Species at Risk screening and impact assessments to include the endangered Black Ash.

On February 4, 2026, the applicant provided the following documents:

- Stage 1 & 2 Archaeological Assessment, dated January 30, 2026; and
- Ministry of Citizenship and Multiculturalism Letter, dated February 2, 2026.

The Economic Development (Heritage) Department reviewed the archaeological assessment and confirmed that no additional archaeological assessment is required and there are no further conditions regarding archaeology.

## **Conclusion:**

The proposal represents good land use planning by allowing for an expansion of the Kawartha Dairy manufacturing Operation, the construction of an associated retail store, office, museum and staff parking, in accordance with policies of the PPS 2024, City of Kawartha Lakes Official Plan, 2012, Bobcaygeon Secondary Plan and Village of Bobcaygeon Comprehensive Zoning By-law 16-78.

Staff respectfully recommends that the Zoning By-law Amendment respecting application D06-2024-012, substantially in the form attached as Appendix D to Report PLAN2026-018, be approved and adopted by Council.

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please email Julio Sarti Caldeira at [dillonplanning@kawarthalakes.ca](mailto:dillonplanning@kawarthalakes.ca).

**Attachments:**

Appendix A – Location Map (see below)

Appendix B – Aerial Map (see below)

Appendix C – Concept Plan (see below)

Appendix D – Draft Zoning By-law Amendment & Schedule



2026-XXX By-law to  
Amend the Village of I

**Department Head:** Leah Barrie, Director of Development Services

**Department Head email:** [lbarrie@kawarthalakes.ca](mailto:lbarrie@kawarthalakes.ca)

**Department File:** **D06-2024-012**

**Appendix A – Location Map**

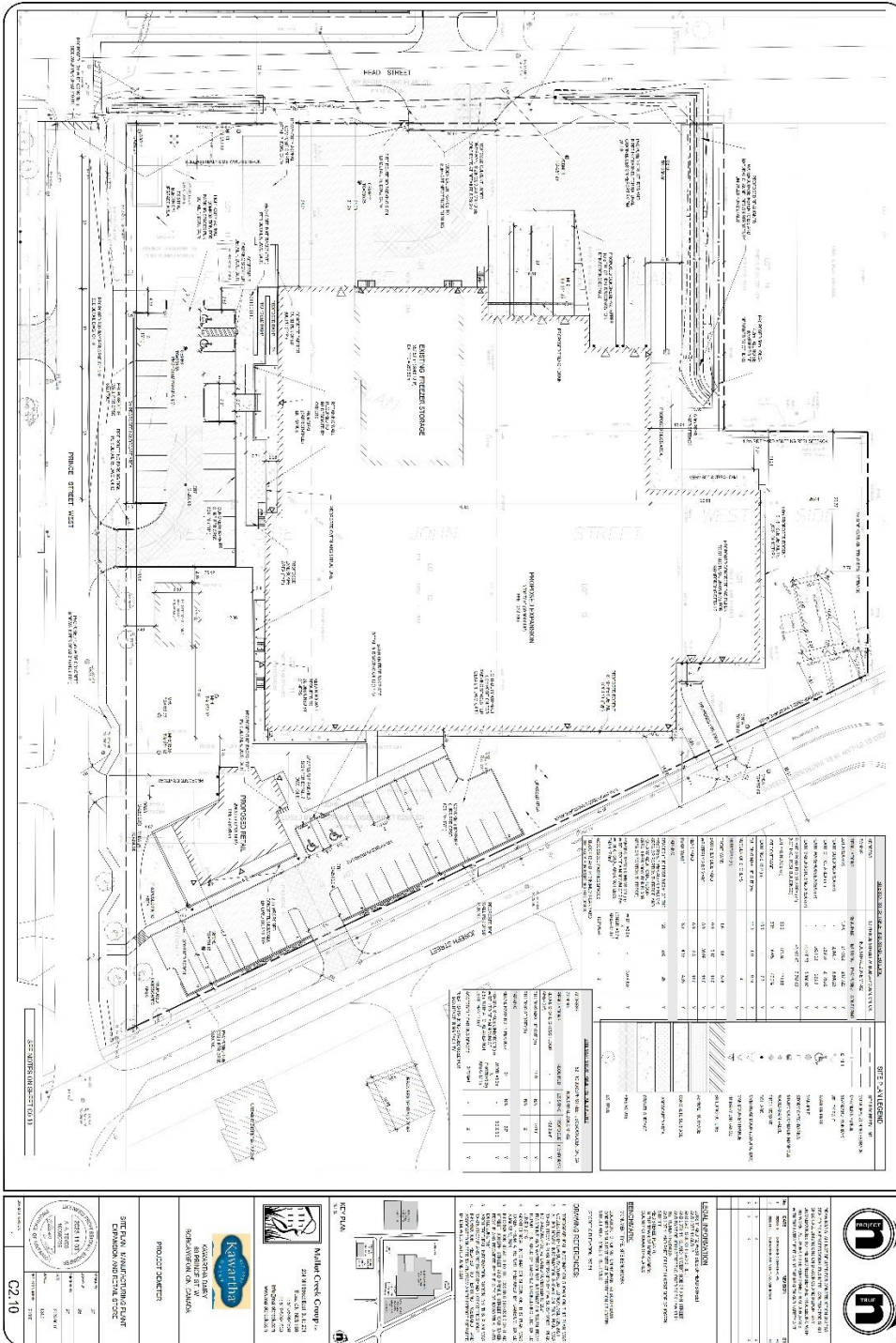


**Appendix B – Aerial Map**

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Appendix C – Concept Plan





# The Corporation of the City of Kawartha Lakes

## By-Law 2026 – [BY-LAW NUMBER]

### A By-law to Amend the Village of Bobcaygeon Comprehensive Zoning By-law 16-78 to Rezone Land within the City Of Kawartha Lakes

[File D06-2024-012, Report PLAN2026-018, respecting Plan 70, Part of Lots 11-13 West of John Street and East of Head Street, identified as 89 Prince Street West; Plan 70, South Part of Lot 11 West of Joseph Street, identified as 52 Joseph Street; Plan 70, North Part of Lot 11 West of Joseph Street, identified as 60 Joseph Street; Plan 70, Part of Lot 14 West of Joseph Street, Part of John Street; Parts 1 & 2 of 57R-6871; Plan 70, Part of Lot 14 West of Joseph Street; Part 3 of RP57R-6871, identified as 82 Joseph Street; Plan 70, Part of Lot 11, East of Head Street; Plan 70, Lot 13 and Part of Lot 14; Part 1 of RP 57R-4231 identified as 103 Head Street; Parts 1, 2, 4-6, Part of John Street RP 57R-6391 (Closed by By-law 18-91, Instrument R283430); Plan 70, Part of Lots 11 and 12, Part 1 on Reference Plan 57R-4253, identified as 83 Prince Street West; Part of Lot 10, Plan 70, Part 2 on Reference Plan 57R-2460; Plan 70, Part of Lot 10 East of Head Street, identified as 96 Prince Street West; Plan 70, Centre Part of Lot 10, East of Head Street, identified as 100 Prince Street West; Plan 70, Part of Lot 10, East of Head Street, identified as 102 Prince Street West; Plan 70, Lot 11, West of Head Street, identified as 82 Head Street; Plan 70, Lot 12, West of Head Street, identified as 94 Head Street – Kawartha Dairy]

#### Recitals:

1. Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to permit expansion of the existing manufacturing use and allow for new retail, patio, parking, storage, museum and accessory uses on the subject land.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2026-[BY-LAW NUMBER].

#### Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as Plan 70, Part of Lots 11-13 West of John Street and East of Head Street; Plan 70, South Part of Lot 11 West of Joseph Street; Plan 70, North Part of Lot 11 West of Joseph Street; Plan 70, Part of Lot 14 West of Joseph Street, Part of John Street; Parts 1 & 2 of 57R-6871; Plan 70, Part of Lot 14 West of Joseph Street; Part 3 of RP57R-6871; Plan 70, Part of Lot 11, East of Head Street; Plan 70,

Lot 13 and Part of Lot 14; Part 1 of RP 57R-4231; Parts 1, 2, 4-6, Part of John Street RP 57R-6391 (Closed by By-law 18-91, Instrument R283430); Plan 70, Part of Lots 11 and 12, Part 1 on Reference Plan 57R-4253; Part of Lot 10, Plan 70, Part 2 on Reference Plan 57R-2460; Plan 70, Part of Lot 10 East of Head Street; Plan 70, Centre Part of Lot 10, East of Head Street; Plan 70, Part of Lot 10, East of Head Street; Plan 70, Lot 11, West of Head Street; Plan 70, Lot 12, West of Head Street, City of Kawartha Lakes.

1.02 **Textual Amendment:** By-law No. 16-78 of the Village of Bobcaygeon is further amended to revise the text in subclause (b)(vi) of Section 14.4 to replace “6.0 m” with “5.5 m”.

1.03 **Textual Amendment:** By-law No. 16-78 of the Village of Bobcaygeon is further amended to delete subclause (b)(vii) of Section 14.4.

1.04 **Textual Amendment:** By-law No. 16-78 of the Village of Bobcaygeon is further amended to add the following text to clause “b” of Section 14.4:

‘ ...

viii) Minimum landscape buffer on Exterior Side Yard fronting on Joseph Street: 1.0 m

ix) Minimum landscape buffer on Front Yard: 1.6 m

x) Minimum Easterly Side Yard setback: 5.5 m

xi) Minimum Rear Yard for Professional Office: 4.0 m

xii) Minimum Setback between any proposed business or professional office incidental to a manufacturing or industrial use: 6.0m

xiii) All other applicable provisions given in Section 14.2 shall continue to apply.’

1.05 **Textual Amendment:** By-law No. 16-78 of the Village of Bobcaygeon is further amended to add the following under Section 14.4:

‘c. Notwithstanding any other provision in this By-law to the contrary, on lands zoned Restricted Industrial – Special Two (M1-S2) Zone, the following uses shall also be permitted in addition to the uses listed in Section 14.1:

i. Retail store selling the owner's-brand-related products and goods, including outdoor seating.

ii. Storage facilities related to manufacturing operations.

iii. An existing dwelling which is accessory to a permitted use.

d. Notwithstanding any other provision in this By-law to the contrary, on lands zoned Restricted Industrial – Special Two (M1-S2) Zone, the front lot line shall be deemed to be the lot line located on Prince Street West.’

1.06 **Schedule Amendment:** Schedule 'A' to By-law No. 16-78 of the Village of Bobcaygeon is further amended to change the zone category from the 'Urban Residential Type Two (R2)' to the 'Restricted Industrial Special Exception Two (M1-S2)' Zone for the land referred to as 'M1-S2', as shown on Schedule 'A' attached to this By-law.

Schedule 'A' to By-law No. 16-78 of the Village of Bobcaygeon is further amended to change the zone category from the from the 'Urban Residential Type One (R1)' and 'Urban Residential Type Two (R2)' to the 'Central Commercial (C1)' Zone for the land referred to as 'C1', as shown on Schedule 'A' attached to this By-law.

**Section 2:00      Effective Date**

2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Section 34 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this 21<sup>st</sup> day of April, 2026.

\_\_\_\_\_  
Douglas J.F. Elmslie, Mayor

\_\_\_\_\_  
Cathie Ritchie, City Clerk

# SCHEDULE A

THE CORPORATION OF THE CITY OF  
**KAWARTHA LAKES**

THIS IS SCHEDULE 'A' TO BY-LAW \_\_\_\_\_ PASSED  
 THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2026.  
 MAYOR \_\_\_\_\_ CLERK \_\_\_\_\_



March 11, 2026

D06-2024-012 SRQ-40660



## Planning Advisory Committee Report

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<b>Report Number:</b>	<b>PLAN2026-021</b>
<b>Meeting Date:</b>	April 8, 2026
<b>Title:</b>	<b>Application to Amend the Township of Emily Zoning By-law 1996-30 at 964 Hayes Line, Omemee - 1000810255 Ontario Inc.</b>
<b>Description:</b>	Rezone the Subject Lands at Concession 1, Lot 13, Emily, from the 'Agricultural (A1)' Zone to a site specific 'Agricultural Exception Forty-Seven (A1-47)' zone to permit an agriculture produce processing and packaging facility and accessory structures and provide relief from parking requirements
<b>Type of Report:</b>	Regular Meeting
<b>Author and Title:</b>	Robert Wilson, Urban Planner, Dillon Consulting Limited on behalf of the City of Kawartha Lakes

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### Recommendation:

**That** Report PLAN2026-021, **Application to Amend the Township of Emily Zoning By-law 1996-30 at 964 Hayes Line, Omemee - 1000810255 Ontario Inc.** be received;

**That** a Zoning By-law Amendments respecting application D06-2025-004, substantially in the form attached as Appendix D and E to Report PLAN2026-021, be approved and adopted by Council; and

**That** the Mayor and Clerk be authorized to execute the documents required by the approval of this application.

**Department Head:** \_\_\_\_\_

**Legal/Other:** \_\_\_\_\_

**Chief Administrative Officer:** \_\_\_\_\_

**Background:**

<b>Owner:</b>	1000810255 Ontario Inc. (Graham Turf Seeds) c/o Bob Buckton
<b>Applicant:</b>	TD Consulting Inc. c/o Tom deBoer
<b>Property Description<sup>1</sup>:</b>	Legal Description: Concession 1, Lot 13 Geographic Township of Emily Municipal Address: 964 Hayes Line, Emily
<b>Official Plan:</b>	'Rural' in Schedule A-3 and 'Significant Woodlands' in Schedule B-3 of the City of Kawartha Lakes Official Plan, 2012
<b>Zoning By-law:</b>	'Agricultural (A1)' Zone in Township of Emily Comprehensive Zoning By-Law 1996-30, as amended
<b>Lot Area:</b>	34.4 hectares (84.9 acres)
<b>Servicing:</b>	Water: Individual private well Sanitary: Individual private septic system Stormwater: Ditches/Swales
<b>Access:</b>	Municipal (Hayes Line)
<b>Existing Uses:</b>	Agricultural crops
<b>Adjacent Uses:</b>	North – Residential East – Agricultural South – Agricultural West – Agricultural

**Rationale:**

The application seeks to permit a commercial seed blending and distribution operation within an existing agricultural building at 964 Hayes Line (the "Subject Lands"). No physical changes or additions to the existing agricultural structure are proposed.

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<sup>1</sup> See Schedule 2- Site Mapping

The balance of the Subject Lands (approximately 30 hectares) is currently rented to a neighbouring farmer for the cultivation of agricultural crops. The proposed facility will remain contained within the existing building footprint, ensuring no adverse impacts or reduction in the productive capacity of the surrounding agricultural lands or ongoing farming operations.

While the applicant's submission materials refer to the proposed use as a "seed distribution facility," Planning Staff have evaluated the operational characteristics of the business and determined that it is most appropriately classified as an Agriculture Produce Processing and Packaging facility as defined in the Township of Emily Comprehensive Zoning By-law 1996-30.

The Subject Lands are zoned 'Agricultural (A1)'. While this zone permits a variety of agricultural operations, the proposed Agriculture Produce Processing and Packaging facility is not a permitted use, necessitating a Zoning By-law Amendment.

## **Policy Conformity:**

### **Provincial Planning Statement 2024 (PPS 2024):**

The Provincial Planning Statement, 2024 (PPS 2024) provides a policy framework for land use planning within the Province of Ontario. The Subject Lands are located outside of designated Settlement Areas and are therefore evaluated against the rural and agricultural policies of the PPS.

Sections 2.5, 2.6, and 4.3 of the PPS 2024 provide direction on the management and growth of rural areas, rural lands, and agricultural areas. Section 2.5 identifies that rural areas are supported through the diversification of the economic base and employment opportunities. Furthermore, Section 2.6 states that planning authorities should support a diversified rural economy by protecting agricultural and agriculture-related uses where development can be sustained by rural service levels.

Section 4.3 of the PPS 2024 dictates that agriculture-related uses shall be compatible with, and shall not hinder, surrounding agricultural operations.

Furthermore, the proposal was evaluated against the natural hazard and water resource policies outlined in Sections 4.1 and 4.2 of the PPS. Matters of natural heritage and hazards have been evaluated in consultation with the Otonabee Region Conservation Authority (ORCA). While ORCA mapping identifies natural hazards on the broader property, including a wetland and watercourses, ORCA staff recognize that the proposed operation utilizes existing structures and does not propose any new

development. As such, ORCA has confirmed that the application is consistent with the Natural Hazards policies of the PPS, as it will not create new hazards or aggravate existing ones. Finally, ORCA confirmed that the property is not located within a vulnerable area subject to Trent Source Protection Plan policies, ensuring the proposed use protects water resources and poses no significant drinking water threat.

The proposed Zoning By-law Amendment is consistent with the Provincial Planning Statement, 2024, as it facilitates an agriculture-related commercial use within existing structures, promotes economic diversification in the rural area, maintains the balance of active agricultural lands, and operates safely within existing rural service levels without hindering surrounding agricultural operations.

**City of Kawartha Lakes Official Plan, 2012 (CKLOP):**

The Subject Lands are designated 'Rural' on Schedule A-3 and 'Significant Woodlands' on Schedule B-3 of the City of Kawartha Lakes Official Plan, 2012.

Section 3 of the CKLOP identifies strategic directions for the natural environment, including Significant Woodlands. While Schedule B-3 identifies 'Significant Woodlands' on a portion of the Subject Lands, this specific area does not contain significant tree cover and is currently utilized for agricultural purposes. Furthermore, the proposed Agriculture Produce Processing and Packaging facility is strictly confined to the existing structures on the southern portion of the Subject Lands, ensuring no impact to the lands identified as 'Significant Woodlands'.

Section 16 of the CKLOP outlines the goals, objectives, and policies for lands within the 'Rural' designation. These directives focus on the protection of agricultural lands, the encouragement of agriculture and agriculture-related uses, and the permission of uses that support, and do not conflict with, the broader agricultural community. The policies of this section specifically permit the kinds of agriculture-related commercial and industrial uses included in the proposed development. The City's Economic Development Division has confirmed that the CKLOP policy framework is supportive of using lands such as the Subject Lands for the type of agriculture-related use being proposed, noting it will not impact surrounding agricultural operations.

Furthermore, Section 16.2(g) established an objective to "provide for the wise use and management of resources". The applicant has indicated that the facility is anticipated to employ five warehouse staff. This relatively low occupancy ensures that the new use will not trigger a significant increase in wastewater generation. The City's Building and Septic Division has confirmed that the property has adequate area to service both the

seed distribution plant and the accessory office on private sewage disposal. Furthermore, as detailed in the submission materials prepared by TD Consulting Inc., the applicant has provided information detailing how the facility will process, and package seeds received on-site. The submission indicates the seeds transported to the site arrive already cleaned and are strictly meant for blending and packaging. Staff are of the opinion that the process itself does not demand intensive water usage. Considering the balance of the property remains dedicated to traditional crop cultivation, the proposed operation will not substantially alter the historical water demand of the Subject Lands, ensuring the site remains appropriately serviced by existing rural infrastructure without requiring uneconomical municipal expansions.

Therefore, the proposed Zoning By-law Amendment conforms to the policies of the City of Kawartha Lakes Official Plan, 2012, as it facilitates a compatible agriculture-related use within existing structures, supporting the rural economy without impacting agricultural viability, natural heritage features, or requiring the expansion of municipal services.

### **Township of Emily Comprehensive Zoning By-law 1996-30:**

The Subject Lands are zoned 'Agriculture (A1)' on Schedule 'A' of the Township of Emily Comprehensive Zoning By-law 1996-30. The applicant has requested a site-specific amendment to permit the proposed seed distribution operation, which Staff have formally classified as an Agriculture Produce Processing and Packaging facility (as defined in the Zoning By-law), alongside relief from parking standards.

While the proposed facility is not explicitly permitted within the A1 zone, it functions similarly to permitted normal farm practices where agricultural operations prepare and package their own products on-site. Furthermore, the proposal maintains the balance of the site for active agricultural uses, which aligns directly with the overall intent of the A1 zone to preserve productive farmland. Given the site-specific nature of the application, which strictly confines the use to an existing agricultural building and establishes targeted controls such as a gross floor area (GFA) cap and relief from parking standards, Staff are of the opinion that introducing this agriculture-related use is appropriate. These site-specific provisions ensure the proposed seed distribution facility remains compatible with the surrounding area of predominantly agricultural uses, further maintaining the general intent of the By-law's A1 zone.

To appropriately control the overall intensity of the operation and limit the scale of the commercial use within the agricultural area, the amending by-law will establish a maximum combined GFA cap of 2,600 square metres for the facility and the accessory

office. This site-specific provision ensures that the use remains contained within the existing footprint and that any future expansion would be subject to further municipal review and approvals.

For the purpose of calculating parking requirements, the Zoning By-law classifies the proposed use as "Light Industrial," which requires 1 space per 40 square metres of GFA. Based on the combined GFA of the existing agricultural structure and the dwelling unit to be converted into an accessory office, 65 parking spaces are required. The applicant is seeking relief to provide 37 parking spaces. The By-law's generalized GFA based parking standard is intended to accommodate standard industrial facilities. However, as detailed in the applicant's submission, the facility will operate with a low employee density, specifically anticipating five warehouse staff alongside a small administrative office team. Given these specific operational characteristics, Planning Staff are of the opinion that a strict application of the By-law's parking ratio may overestimate the actual parking demand for this specific use. Furthermore, the proposed GFA cap limits future facility expansion, and the proposed 37 parking spaces can be accommodated on site without impacting the balance of the active agricultural lands. As such, Planning Staff are of the opinion the proposed 37 spaces will adequately accommodate the operation's parking needs of the seed distribution facility and meet the overall intent of the By-law's parking provisions.

Recognizing the need to ensure the appropriate internal site layout, functionality of the upgraded parking facilities, and safe movement of large commercial and emergency vehicles, Staff advised the applicant to submit a "Plans Only" Site Plan Application concurrently with this rezoning application. The concurrent review of both applications allows Staff to comprehensively evaluate internal traffic flow, verify the appropriateness of the requested parking reduction, and confirm adequate swept-path clearances for vehicular traffic. Furthermore, the concurrent Site Plan Approval process secures critical traffic management measures identified by Development Engineering, including compliant entrance designs and the installation of "No Left Turn for Trucks" signage at the outbound lanes to enforce vehicle routing away from the eastern portion of Hayes Line.

With the foregoing points in mind, the proposed Zoning By-law Amendment maintains the general intent and purpose of the Township of Emily Comprehensive Zoning By-law 1996-30 by facilitating a rural employment use while preserving the primary agricultural function of the site.

## **Other Alternatives Considered:**

During the technical review process, Staff considered an alternative to rezone portions of the Subject Lands to an 'Environmental Protection (EP-1)' Zone. The Otonabee Region Conservation Authority (ORCA) identified that the broader property contains known hazards associated with a wetland, a mapped watercourse, and a potentially unmapped watercourse. ORCA suggested that the approval authority could use this Zoning By-law Amendment as an opportunity to recognize these natural hazards and their associated buffers by applying an EP-1 zone.

However, ORCA also recognized that the application proposes no additional development and is strictly facilitating a change of use within existing structures. Based on the information provided, ORCA confirmed the proposal will not create new hazards or aggravate existing ones.

Because the natural hazard features will not be impacted by the proposed Agriculture Produce Processing and Packaging facility, Staff are of the opinion that applying an 'EP-1' zoning designation onto Subject Lands is not warranted.

## **Alignment to Strategic Priorities:**

For reference, the four strategic priorities within the 2024-2027 Kawartha Lakes Strategic Plan are:

1. Healthy Environment
2. An Exceptional Quality of Life
3. A Vibrant and Growing Economy
4. Good Government

The proposed application aligns with the strategic priority for a Vibrant and Growing Economy. By facilitating the establishment of an agriculture-related commercial use, the application supports the diversification of the rural economy. The Agriculture Produce Processing and Packaging facility provides a specialized service that directly supports the broader agricultural sector, while also generating local employment opportunities without requiring the costly expansion of municipal infrastructure.

Furthermore, the proposal supports a Healthy Environment. By utilizing existing agricultural structures, the development avoids the unnecessary consumption of viable farmland and ensures there are no impacts to the mapped natural hazards and wetlands on the broader property. Additionally, as confirmed by ORCA, the property is not located within a vulnerable area. Therefore, the proposed change of use does not

pose a significant drinking water threat and will not negatively impact local groundwater resources.

Finally, Staff's approach to require a concurrent Minor Site Plan Application demonstrates Good Government. This strategy ensures comprehensive municipal oversight of critical public safety and traffic management elements while simultaneously streamlining the approval timeline for the business owner.

### **Financial/Operation Impacts:**

There are no financial considerations unless Council's decision is appealed to the Ontario Land Tribunal. In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

### **Consultations:**

The Planning Division received the application submission package on March 4, 2025, which included the following reports and plans in support of the application:

1. Application for Zoning By-law Amendment, prepared by TD Consulting Inc., dated February 21, 2025;
2. Cover Letter, prepared by TD Consulting, dated February 27, 2025;
3. Planning Justification Letter, prepared by TD Consulting Inc., dated November 12, 2025;
4. Site Plan, prepared by TD Consulting Inc., dated February 2025, revised January 30, 2026;
5. Traffic Impact Study, prepared by Tranplan Associates, dated August 10, 2025;
6. Response to Traffic Impact Study Comments, prepared by Tranplan Associates, dated October 28, 2025;
7. Business Certificate, prepared by Ministry of Public and Business Service Delivery, dated February 23, 2024;
8. Parcel Register, prepared by Service Ontario, dated February 28, 2025;
9. Land Registration Form, dated May 2, 2024; and
10. Transfer Registration dated May 2, 2024.

Staff deemed the application 'complete' under the requirements of the Planning Act on April 4, 2025, and initiated Agency consultation that same day, with a requested review period ending April 24, 2025. All the reports and plans submitted were circulated to the applicable agencies and City Departments for review and comment. The public was notified of the application through the circulation of the Notice of Public Meeting on April 17, 2025.

Following the initial circulation, Staff worked with the applicant through an iterative review process spanning multiple resubmissions to address technical deficiencies. This included the submission of a Traffic Impact Study (TIS) and revised Planning Justification Reports to refine the Gross Floor Area calculations, justify the requested parking reduction, and confirm commercial vehicle routing.

The following comments were provided by agencies during the consultation period and subsequent resubmissions:

**Planning** – Through the iterative review process, Planning Staff confirmed the office function as an accessory use and resolved the necessary parking calculations and Gross Floor Area (GFA) cap. Staff advised the applicant to submit a concurrent "Plans Only" Site Plan Application to secure site-specific layout and traffic routing elements prior to final approval.

**Economic Development (Agriculture)** – Staff are in support of the application. The activities proposed are supported within the Zoning By-law's agricultural framework and there should be no impact to neighbouring agricultural operations. The proposal aligns with the Kawartha Lakes Strategic Plan to protect and support agricultural land and agri-business.

**Building and Septic – Plans Review and Inspections** – No comments.

**Building and Septic – Part 8 Sewage Systems** – The property can support the proposed change of use, as there is adequate area to service both the seed distribution plant and the conversion of the dwelling to an office on private sewage disposal. An Application for a Sewage System Review will be required.

**Development Engineering** – From an engineering perspective, there is no objection to the proposed Zoning By-law Amendment. Development Engineering reviewed the submitted Traffic Impact Study and collision history, providing an analysis and recommendations to the jurisdiction having authority (Peterborough County). To address concerns regarding potential future increases in commercial trailer traffic, Development Engineering requested that a regulatory mechanism be put in place to limit the expansion of the facility, noting that any future expansion should be dependent on further safety studies. Planning Staff note that the site-specific 2,600 square metres gross floor area (GFA) cap satisfies this requirement. Furthermore, the required "No Left Turn for Trucks" signage at the outbound lanes will be secured through the concurrent Site Plan and Entrance Permit processes.

**County of Peterborough** – The County evaluated the commentary provided by City Traffic Management. The County fully supports the City's request for a regulatory mechanism (the GFA cap) to limit the expansion of trailer traffic to and from the site. Additionally, the County will evaluate the visibility at the intersection of County Road 10 and Hayes Line; if warranted, the County will install appropriate intersection warning signage, which will be completed separately from this development application.

**Township of Cavan Monaghan** – The Township provided initial comments regarding road speeds, half-load season restrictions, and the strict requirement that large commercial trucks utilize County Road 10 rather than the eastern portion of Hayes Line due to unsuitable road geometrics. These matters have been successfully addressed through the updated Traffic Impact Study and coordination with Development Engineering and the County of Peterborough. The Township has reviewed the final documents and indicated they have no additional comments.

**Otonabee Region Conservation Authority (ORCA)** – ORCA confirmed the application is consistent with Chapter 5 of the Provincial Planning Statement (Natural Hazards), as the proposal utilizes existing structures and will not create new or aggravate existing hazards. A permit from ORCA will be required for the interior renovations associated with the change of use. The property is not located within a vulnerable area subject to Trent Source Protection Plan policies.

**Enbridge Gas / Ministry of Transportation / NAV Canada** – These agencies reviewed the application and indicated they have no objections or comments.

**Public Comments:**

As of the writing of this report, one piece of written correspondence was received from a neighbouring property owner regarding the application. The correspondence raised the following concerns:

- Potential negative impacts on adjacent property values.
- The loss of large agricultural tracts, which the resident fears will make their adjacent parcel less attractive to crop farmers to lease or work.
- Concerns regarding the affordability of residential taxes if the adjacent land is no longer farmed.
- An opinion that the land should be formally rezoned to "Commercial" rather than Agricultural Exception.
- Concerns regarding pests associated with seed storage.

Staff have reviewed the public correspondence and offer the following planning analysis:

- **Agricultural Viability and Land Use:** The proposed development is strictly confined to the existing agricultural structures and does not remove any workable land from active agricultural production. The balance of the Subject Lands will remain available for crop cultivation, ensuring that the large, continuous farming plots the resident referenced remain intact and viable for local farmers.
- **Zoning Designation:** Utilizing a site-specific Agricultural exception zone is the correct regulatory mechanism for the proposed agriculture-related use. A blanket "Commercial" rezoning would be inappropriate, as it could open the door to a wide range of non-agricultural commercial uses that would conflict with the rural and agricultural character of the area.
- **Property Values and Taxation:** In Ontario, municipal land use planning decisions made under the Planning Act are evaluated based on policy conformity and land use impacts, rather than speculative impacts on property values. Furthermore, property taxation and assessment classifications are administered by the Municipal Property Assessment Corporation (MPAC) based on the actual use of the land, which falls outside the scope of a Zoning By-law Amendment.
- **Property Maintenance (Pests):** The facility's operations will be subject to the City's Property Standards By-law and applicable health regulations, which require properties to be maintained in a condition that prevents pest infestations.

Additionally, the applicant's operational model involves receiving seeds and processing seeds with all packaging occurring indoors, which mitigates external attractants.

## **Conclusion:**

The proposal represents good land use planning by facilitating an agriculture-related commercial use that is compatible with the broader agricultural and rural character of the area. The application has been comprehensively evaluated and is consistent with the Provincial Planning Statement (2024) and conforms to the rural and agricultural policies of the City of Kawartha Lakes Official Plan, 2012, as well as the general intent of the Township of Emily Comprehensive Zoning By-law 1996-30.

By utilizing existing agricultural structures and implementing site-specific regulatory safeguards—specifically the 2,600 square metre Gross Floor Area cap and the concurrent Site Plan Control process—the proposed Zoning By-law Amendment ensures the operation remains at an appropriate scale. The proposed facility will support the rural economy without negatively impacting surrounding farming operations, existing municipal infrastructure, or identified natural hazards.

Staff respectfully recommends that the Zoning By-law Amendment respecting application D06-2025-004, substantially in the form attached to this Report, be approved and adopted by Council.

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please email Robert Wilson at [dillonplanning@kawarthalakes.ca](mailto:dillonplanning@kawarthalakes.ca).

## **Attachments:**

Appendix A – Location Map (see below)

Appendix B – Aerial Map (see below)

Appendix C – Concept Plan (see below)

Appendix D – Draft Zoning By-law Amendment & Schedule



ZBA PLAN2026-021 -  
964 Hayes Line, Emil

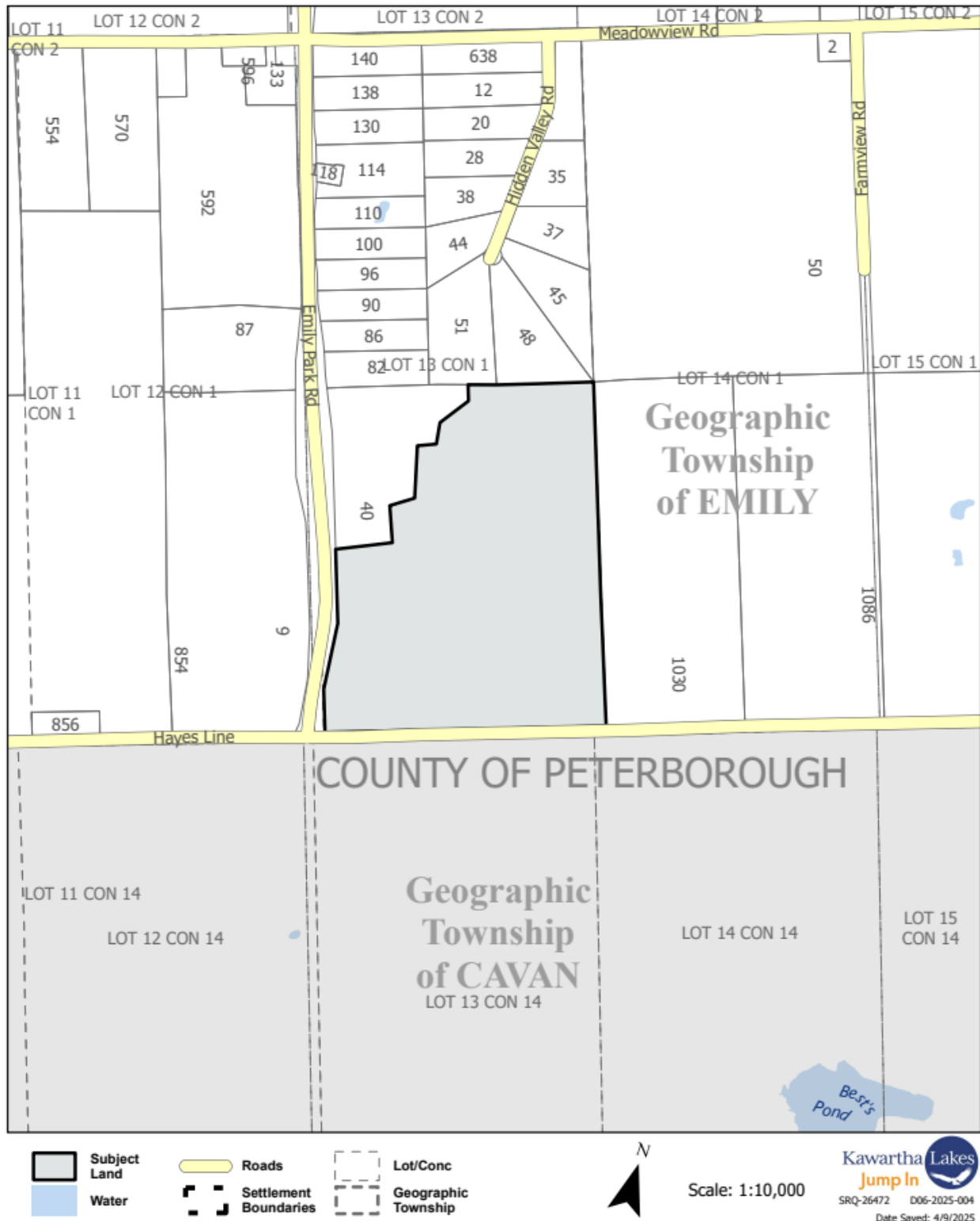
Appendix E – Draft Rural Zoning By-law Amendment & Schedule



ZBA PLAN2026-021 -  
964 Hayes Line, Emil

**Department Head:** Leah Barrie, Director of Development Services  
**Department Head email:** [lbarrie@kawarthalakes.ca](mailto:lbarrie@kawarthalakes.ca)  
**Department File:** D06-2025-004

Appendix A - Location Map



Boundaries delineated in this map are approximate only.

Appendix B – Aerial Map





# The Corporation of the City of Kawartha Lakes

## By-Law 2026 - XXX

### A By-law to Amend the Township of Emily Comprehensive Zoning By-law No. 1996-30 to Rezone Land within the City of Kawartha Lakes

File D06-2025-004, Report PLAN2026-021, respecting Concession 1, Part Lot 13, Geographic Township of Emily, City of Kawartha Lakes, identified as 964 Hayes Line – 1000810255 Ontario Inc.

#### Recitals:

1. Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to permit the use of an Agriculture Produce Processing and Packaging facility on the Subject Land and provide relief from parking requirements.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2026-XXX.

#### Section 1:00 Zoning Details

1.01 **Property Affected:** The Property affected by this By-law is described as Concession 1, Part Lot 13, Geographic Township of Emily, City of Kawartha Lakes.

1.02 **Text Amendment:** By-law No. 1996-30 of the Township of Emily is further amended to add to the following text to Section 7.3:

‘7.3.47: AGRICULTURAL EXCEPTION FORTY-SEVEN (A1-47) ZONE

7.3.47.1 Notwithstanding any other provision in this By-law to the contrary, on land zoned A1-47, the following uses shall be permitted in addition to the permissions given in Section 7.1:

- (a) Agriculture Produce Processing and Packaging facility; and
- (b) Business or Professional Office accessory to a permitted use.

7.3.47.2 Notwithstanding clause “c” in article 7.2.1.6, on land zoned A1-47, the maximum combined Gross Floor Area for an Agriculture Produce Processing

and Packaging facility and an accessory Business or Professional Office shall be 2,600 square metres.

7.3.47.3 Notwithstanding article 3.14.1.2, on land zoned A1-47, the minimum number of parking spaces required shall be as follows:

- (a) Agriculture Produce Processing and Packaging facility and Business or Professional Office: 37 spaces; and
- (b) For all other uses, the provisions given in article 3.14.1.2 shall otherwise continue to apply.'

1.03. **Schedule Amendment:** Schedule 'A' to By-law No. 1996-30 of the Township of Emily is further amended to change the zone category from 'Agricultural (A1)' Zone to 'Agricultural Exception Forty-Seven Zone (A1-47)' Zone for the lands referred to as 'A1-47' as shown on Schedule 'A' attached to this By-law.

## **Section 2:00 Effective Date**

2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Section 34 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this XX day of April, 2026.

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Douglas J.F. Elmslie, Mayor

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Cathie Ritchie, City Clerk

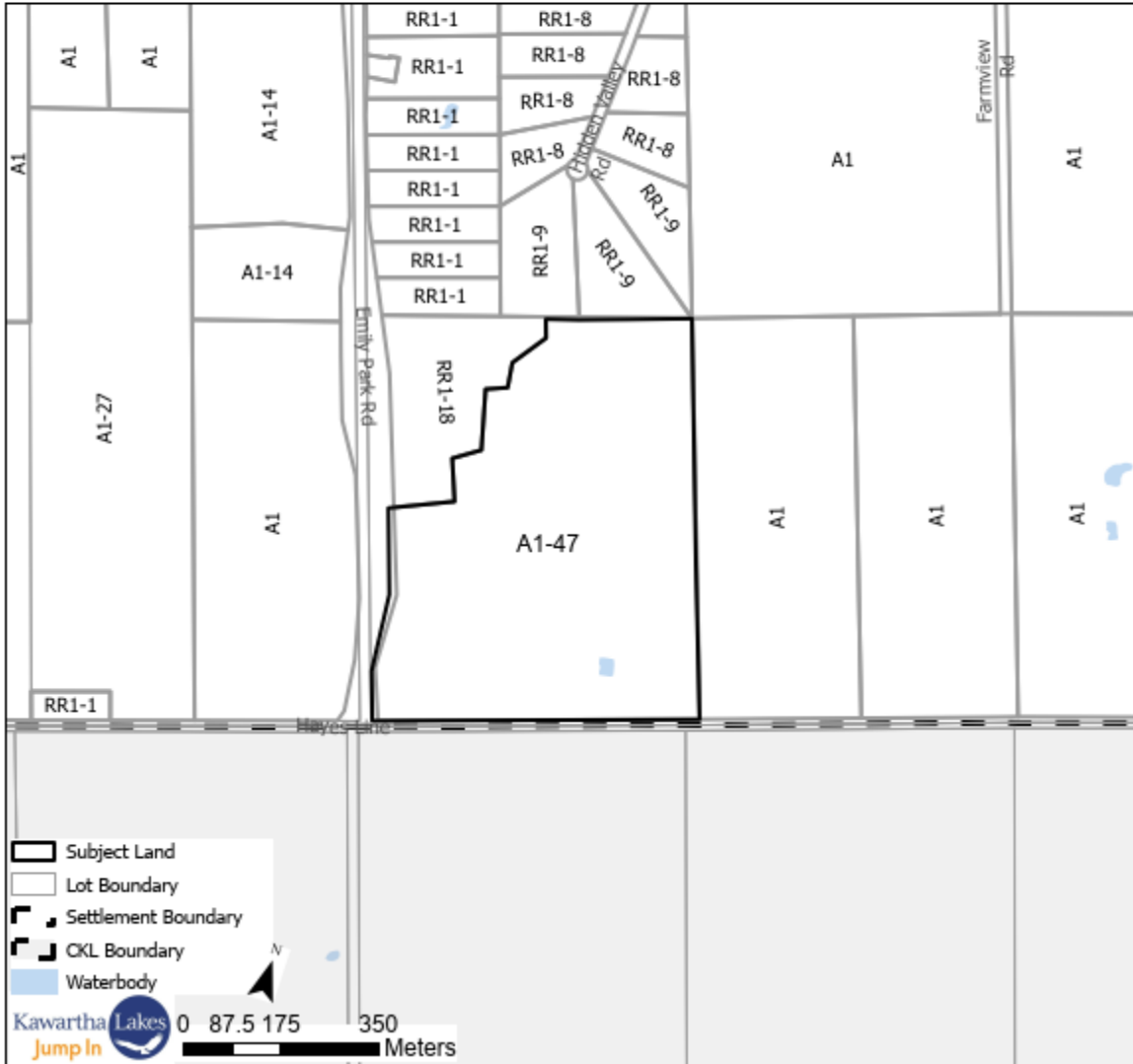
THE CORPORATION OF THE CITY OF

# KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW \_\_\_\_\_ PASSED

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2026.

MAYOR \_\_\_\_\_ CLERK \_\_\_\_\_



# The Corporation of the City of Kawartha Lakes

## By-Law 2026 – [BY-LAW NUMBER]

### A By-law to Amend the City of Kawartha Lakes Rural Zoning By-law No. 2024-113 to Rezone Land within the City Of Kawartha Lakes

File D06-2025-004, Report PLAN2026-021, respecting Concession 1, Part Lot 13, Geographic Township of Emily, City of Kawartha Lakes, identified as 964 Hayes Line – 1000810255 Ontario Inc.

#### Recitals:

1. Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land and for a textual amendment to permit the use of an 'Agriculture Products Processing Establishment' on the Subject Land and provide relief from parking requirements.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2026-XXX.

#### Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this By-law is described as Concession 1, Part Lot 13, Geographic Township of Emily, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 2024-113 of the City of Kawartha Lakes is further amended to add the following:

#### **'13.XX 1302 (Emily)**

All provisions applicable to the AG zone shall apply except that:

1. The permitted uses shall also include an **Agricultural Products Processing Establishment** and an accessory **Office**.
2. The maximum combined **gross floor area** for an **Agricultural Products Processing Establishment** and accessory **Office** shall be 2,600 square metres.
3. The minimum number of **barrier-free parking spaces** required shall be as follows:

- a) **Agricultural Products Processing Establishment** and accessory **Office**: 1 space; and
- b) for all other uses, the provisions of Section 5.4 shall continue to apply.'

1.03 **Schedule Amendment**: Schedule 'A' to By-law No. 2024-113 of the City of Kawartha Lakes is further amended to change the zone category from the 'Agriculture (AG)' zone to the Agriculture Exception Zone 1302 for the land referred to as 'AG-1302', as shown on Schedule 'A' attached to this By-law.

## **Section 2:00      Effective Date**

2.01 **Effective Date (Rural Zoning By-law)**: Sections 1.02 and 1.03 of this By-law shall come into force and take effect on the day that the City of Kawartha Lakes Rural Zoning By-law 2024-113 comes into force and effect, subject to the provisions of Section 34 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this [DAY] day of [MONTH], 2026.

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Douglas J.F. Elmslie, Mayor

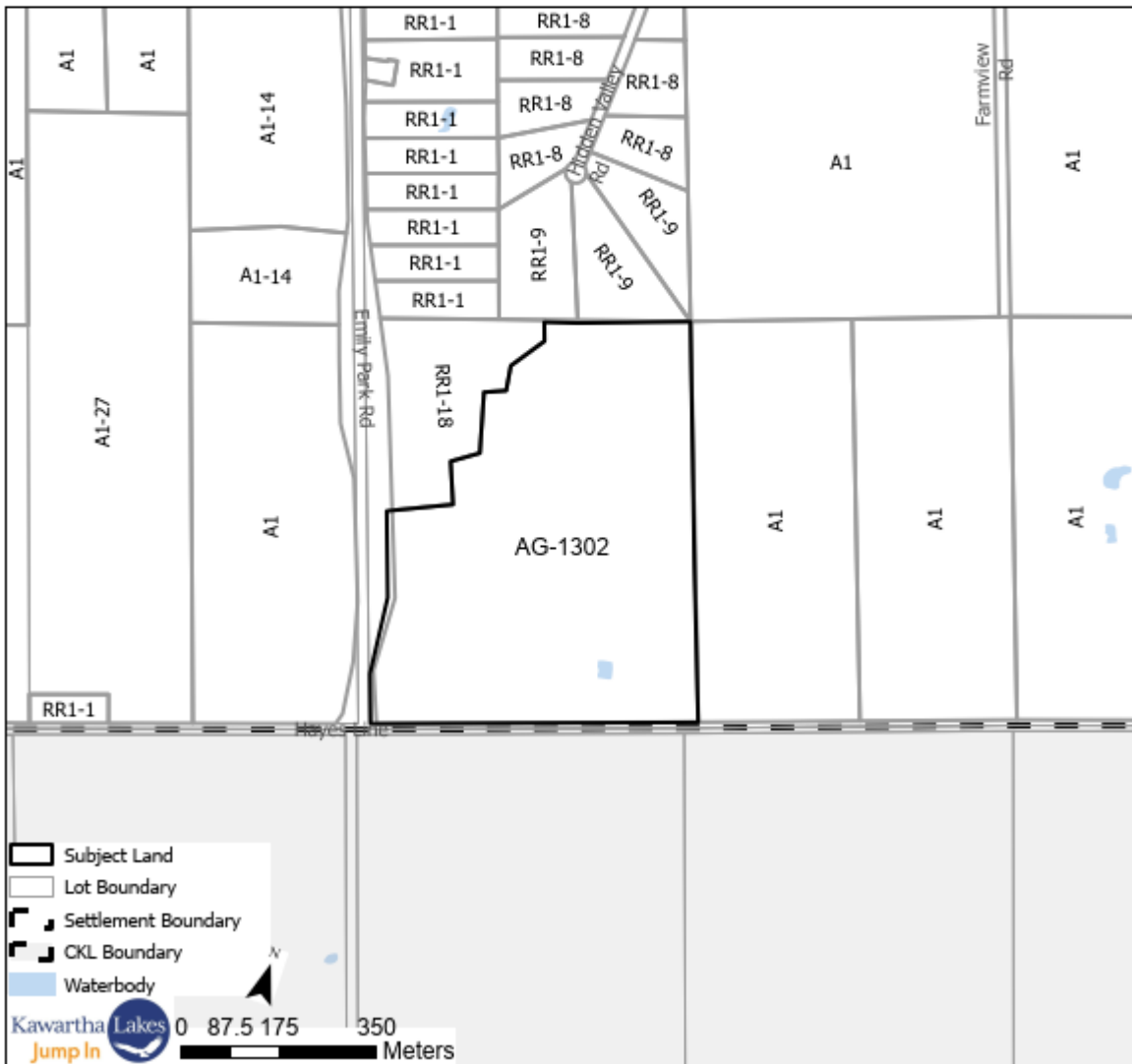
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Cathie Ritchie, City Clerk

# SCHEDULE A

THE CORPORATION OF THE CITY OF  
**KAWARTHA LAKES**

THIS IS SCHEDULE 'A' TO BY-LAW \_\_\_\_\_ PASSED  
 THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2026.  
 MAYOR \_\_\_\_\_ CLERK \_\_\_\_\_





## Planning Advisory Committee Report

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<b>Report Number:</b>	<b>PLAN2026-023</b>
<b>Meeting Date:</b>	April 8, 2026
<b>Title:</b>	<b>Application to Amend the City of Kawartha Lakes Official Plan (Lindsay Secondary Plan) and Town of Lindsay Zoning By-law 2000-75 with Redline revision to Draft Approved Plan of Subdivision at Tribute South Lands, Part Lots 23 and 24 Concession 4, Former Town of Lindsay – Tribute (Lindsay 1) Limited</b>
<b>Description:</b>	Application to update the subdivision lot fabric, road layout and reduce residential units from 1,011 to 987, to facilitate the consolidation and expansion of commercial uses, D01-2025-002, D06-2025-011, and D05-2025-003
<b>Type of Report:</b>	Regular Report
<b>Author and Title:</b>	Ben Dunlop, Planner, Dillon Consulting Limited (on behalf of the City of Kawartha Lakes)

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### Recommendations:

**That** Report PLAN2026-023, **Application to Amend the City of Kawartha Lakes Official Plan (Lindsay Secondary Plan) and Town of Lindsay Zoning By-law 2000-75 with Redline revision to Draft Approved Plan of Subdivision at Tribute South Lands, Part Lots 23 and 24 Concession 4, Former Town of Lindsay – Tribute (Lindsay 1) Limited** be received;

**That** an Official Plan Amendment respecting application D01-2025-003, substantially in the form attached as Appendix E to Report PLAN2026-023, be approved and adopted by Council;

**Department Head:** \_\_\_\_\_

**Legal/Other:** \_\_\_\_\_

**Chief Administrative Officer:** \_\_\_\_\_

Amend the Official Plan (Lindsay Secondary Plan) and Town of Lindsay Zoning By-law 2000-75 with Redline revision to Draft Approved Plan of Subdivision at Tribute South Lands, Part Lots 23 and 24 Concession 4, Former Town of Lindsay – Tribute (Lindsay 1) Limited

**That** a Zoning By-law Amendment respecting application D06-2025-011, substantially in the form attached as Appendix D to Report PLAN2026-023, be approved and adopted by Council;

**That** a Redline Revision to Draft Approved Plan of Subdivision and revised conditions of Draft Approval respecting application D05-2025-003, substantially in the form attached as Appendix C to Report PLAN2026-023, be approved and adopted by Council; and

**That** the Mayor and Clerk be authorized to execute the documents required by the approval of these applications.

**Background:**

<b>Owner:</b>	Tribute (Lindsay 1) Limited c/o Jeff Solly
<b>Applicant:</b>	The Biglieri Group c/o Michael Testaguzza
<b>Property Description<sup>1</sup>:</b>	Legal Description: Part Lots 23 & 24 Concession 4, Former Town of Lindsay ARN#: 165101000388611
<b>Official Plan:</b>	'Urban Settlement Area' in Schedule 'A-3' of the City of Kawartha Lakes Official Plan; 'Residential'; 'Parks and Open Space'; 'Institution and Community Facilities'; and General Commercial in Schedule 'F-1' in the Lindsay Secondary Plan
<b>Zoning By-law:</b>	'Residential Two Special 39 (R2-S39) Zone', 'Residential Three Special 24 (R3-S24) Zone', 'Residential Three Special 25 (R3-S25) Zone', 'Residential Multiple One Special 26 (RM1-S26) Zone', 'Residential Multiple One Special 27 (RM 1-527) Zone', 'Residential Multiple Two Special 25 (RM2-S25)Zone', 'Community Facility Special 9 (CF-S9) Zone', 'Community Facility (CF) Zone', 'Parks and Open Space (OS) Zone', 'Parks and Open Space Special 9 (OS-S9) Zone', and 'General Commercial Special 14 (GC-14)Zone' on Schedule 'A' of the Town of Lindsay Zoning By-law Number 2000-75
<b>Lot Area:</b>	73.57 ha. (181.79 acres)
<b>Servicing:</b>	Municipal Water; Sanitary Sewers; and Storm sewers
<b>Access:</b>	Provincial: Highway 35
<b>Existing Uses:</b>	Future Development Lands

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<sup>1</sup> See Schedule A – Site Mapping

<b>Adjacent Uses:</b>	<p>North: Future Development - Tribute North</p> <p>East: Low Density Residential; Angeline Street North</p> <p>South: Low and Medium Density Residential; Sugarwood Subdivision); Colborne Street West</p> <p>West: Highway 35; Kawartha Lakes Municipal Airport; Agricultural</p>
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**Rationale:**

The Applicant is proposing to revise a previously approved Plan of Subdivision for the Tribute South Lands in Lindsay (the “Subject Lands”). The proposal reconfigures the lot pattern within the subdivision, the road layout, and results in a reduction in residential units from up to 1,011 to 987, in order to reconfigure the commercial blocks to facilitate the development of a department store within a commercial centre. The current configuration of the subdivision, including the lot pattern, land use designations, and zoning were established by previous approvals in 2023 (File Numbers D01-2022-004, D06-2022-012, and D05-2022-002 (16T-22502)). Both an Official Plan Amendment and Zoning By-law Amendment are required alongside the redline revision to facilitate the proposal.

Since the approval of the Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision applications on the Subject Lands in 2023, the applicant has entered into an agreement of purchase and sale with a commercial developer to facilitate commercial development within the Subject Lands. The proposed lotting revisions to the 2023 Draft Plan of Subdivision (DPoS) and associated Official Plan amendment (OPA) and Zoning By-law amendment (ZBA) are proposed in response to the requirements of the commercial developer. The commercial land area within the Draft Plan of Subdivision will be consolidated into one block on the south side of Sylvester Drive and increase from 4.18 hectares to 6.54 hectares.

In addition to a revision to the lotting of the subdivision, amendments to the Zoning By-law are proposed in order to facilitate the type of large-scale department store-anchored commercial centre development being proposed. Mapping amendments reflect the proposed lotting changes of the DPoS revision. Textual amendments to the Zoning By-law will permit a broader range of commercial uses within the new

consolidated commercial block, simplify performance standards, and modify stormwater management facility setbacks and structure height limits.

A related Site Plan Approval (SPA) application was submitted concurrently to the second submission of materials for this report. Details from the concurrent SPA application were used to establish and clarify necessary ZBA criteria for the new commercial block, including internal site layout, building locations, facilities for parking, stormwater management, landscaping, and lighting. Further, the concurrent SPA application has been used by reviewing agencies to evaluate intersection design for the subdivision, and future Site Plan Approval conditions will secure as-needed intersection upgrades based on trip generation.

The proposed applications will secure required entitlements to help attract commercial tenants for the proposed development to serve the subdivision and surrounding area. Appropriate standards of housing, complete communities, community facilities and services, and employment opportunities established through the original approval of the subdivision are maintained or enhanced by the subject applications. The proposed redline revisions to consolidate the commercial centre and the associated OPA and ZBA to facilitate the commercial development are consistent with the provincial and municipal planning policy frameworks.

## **Policy Conformity:**

### **Provincial Planning Statement 2024 (PPS 2024)**

The PPS 2024 provides a policy framework for land use planning within the Province of Ontario. The Subject Lands are located within the designated Settlement Area of the Town of Lindsay and have been evaluated against the applicable policies of the PPS 2024.

The applications are consistent with PPS 2024 Policy 2.1.6, which requires planning authorities to support the development of complete communities by accommodating an appropriate range and mix of land uses. The previously-approved applications for OPA, ZBA, and DPoS established an appropriate mix of land uses including commercial, institutional, and a range of residential formats in support of the creation of a complete community. The revision to the DPoS and associated OPA and ZBA applications maintain the intent of the original approvals by continuing to provide a range of housing

options within the Subject Lands, while refining policy and regulations to expand the range of commercial uses.

The residential component of the subdivision in the Subject Lands demonstrates a range and mix of housing options and densities, in response to projected market-based and affordable housing needs within the municipality. The proposal is consistent with the housing policies under Sections 2.2.1(b)(1). and 2.2.1(c) of the PPS 2024 by maintaining a significant supply of housing options that meet demographic needs and promote densities that efficiently use land and resources. Additionally, by directing growth to an existing settlement area, the development aligns with the primary growth directive established in Section 2.3.1. It further satisfies Sections 2.3.2(a) through (d) by delivering a well-organized mix of commercial and residential uses at appropriate densities that optimize planned infrastructure, support active transportation, and promote transit usage.

The proposal promotes economic development and competitiveness in accordance with Section 2.8 and 2.8.1 of the PPS 2024 by consolidating commercial blocks and introducing new retail uses. By locating a significant housing supply in close proximity to large-format retail, the development provides an appropriate mix of broader mixed uses to meet long-term needs as required by Section 2.8.1(a). Further, the development improves a suitable site for employment-generating activity, providing opportunities for a diversified economic base, consistent with Section 2.8.1(b).

The proposal protects the long-term operation of the Kawartha Lakes Municipal Airport and appropriately buffers sensitive land uses in accordance with Sections 3.4.1(a) and b) of the PPS 2024 by implementing the mitigation recommendations included in the updated Environmental Noise Assessment (last revised in March 2026). The redesignation of the former commercial lands to new residential blocks occurs strictly within the Noise Exposure Forecast / Noise Exposure Prediction (NEF/NEP) 25 to 30 contours, ensuring no new residential development is introduced above the critical 30 NEF/NEP threshold. Consistent with Section 3.4.2.b), the reconfiguration of previously approved residential lands reduces the overall number of units located within the NEF 30 contour, demonstrating no negative impacts on the airport's long-term function. Section 3.4.2(c) prohibits land uses which may cause a potential aviation safety hazard. The revised 2025 Environmental Noise Assessment concludes that its recommended noise abatement features achieve acceptable sounds levels to the City of Kawartha Lakes and the Ministry of Environment, Conservation, and Parks. The proposal is also

consistent with Section 3.5 as it relates to land use compatibility, as the suggested measures outlined in YCA Engineering's Environmental Noise Assessment are expected to minimize and mitigate adverse effects from noise.

As detailed in the June 2025 Functional Servicing Report (FSR) prepared by Counterpoint Engineering, the proposal is consistent with Section 3.6.1 of the PPS 2024 by integrating servicing and land use considerations to efficiently accommodate forecasted growth while protecting water resources. The FSR confirms the development's alignment with Section 3.6.2 by relying on municipal sewage and water services. The proposal satisfied the comprehensive stormwater management directives of Section 3.6.8 by integrating stormwater planning with water and wastewater services over their full life cycle. Counterpoint Engineering concludes that the existing adjacent infrastructure and proposed servicing scheme can support the proposed DPoS amendment and meet the engineering requirements of the City, Kawartha Conservation, and the Ministry of Transportation.

The proposed redline revisions to the approved DPoS and associated OPA and ZBA applications are consistent with the policies of the PPS 2024 as they facilitate an appropriate mix of land use while broadening the diversity of commercial uses and maintaining the established diversity in dwelling typologies. The proposed levels of growth and development have been shown to be consistent with planned infrastructure investment.

### **City of Kawartha Lakes Official Plan, 2012 (CKLOP)**

The proposal includes a reduction in the maximum number of housing units to be provided on the Subject Lands from 1,011 to 987 units in order to facilitate the proposed expansion of the commercial block.

The proposed revised lot pattern of the subdivision continues to offer the same range of residential lots, ranging from townhouse units with a frontage of 6.1 metres to single detached units with a frontage of 15.2 metres. The proposed provision of parkland and school sites remains unchanged. The amount of parks and recreation and educational facilities is appropriate for the proposed residential density.

The proposed revision to the DPoS and associated OPA and ZBA applications generally conform to the commercial development goals of the Official Plan by expanding and consolidating the commercial land supply to better serve resident needs. Specifically,

the revised DPoS increases the area of lands designated General Commercial by 2.36 hectares compared to the previous approval, thereby fulfilling the objective to provide an adequate supply of land for commerce given in section 6.2(b) of the CKLOP. The concurrent ZBA introduces a wider range of permitted uses, achieving the proactive and flexible land use policy objectives mandated by section 6.2(a) of the CKLOP. The Retail Market Analysis prepared by Parcel Economics submitted in June 2025 confirmed the expansion responds to a demonstrated market need without negatively impacting existing trade areas.

The proposal conforms to the Urban Settlement policies outlined in Section 18 of the Official Plan by continuing to facilitate orderly development with an appropriate mix of land uses within the settlement area. The revised lot configuration on the north side of Sylvester Drive provides a range of housing unit types including single and semi-detached and townhouse dwelling units.

The proposal efficiently accommodates growth by utilizing full municipal systems through the expansion of existing water and wastewater infrastructure, satisfying Goal 28.1 and Section 28.4.1 of the Official Plan.

The proposed development achieves the safe and efficient transportation objectives of Goals 28.1 and Section 28.6.3 by relying on a local road network that possesses adequate capacity to handle anticipated traffic without requiring significant municipal road improvements, as confirmed by the Transportation Impact Study prepared by Dillon Consulting, dated July 2025, and confirmed by peer reviewer R.J. Burnside together with the City's Traffic Management on March 11, 2026. The revised DPoS protects the long-term viability of the Provincial Highway System, mandated by Section 28.7.5, by directing access for the proposed commercial Block 66 strictly through the local road network and shifting this access further east from Highway 35. The submitted technical reports have undergone standard review by the Ministry of Transportation to secure all necessary approvals and permits prior to construction, in conformance with Policy 28.7.3.

The portion of the Subject Lands which are proposed to be redesignated are currently designated Residential and General Commercial in the Lindsay Secondary Plan. The proposed development conforms to the residential land use policies of Section 31.2.3 and 31.2.3.1 of the CLKOP by maintaining the Residential land use designation throughout the subject lands, permitting the variety of permitted dwelling types as required by Section 31.2.3.1.1, consistent with the previous approvals. The proposed

zoning provisions are maintained without textual amendments, thereby staying in compliance with the built form, height, and unit-per-hectare targets mandated for low-density uses under Section 31.2.3.1.2.1 and medium-density uses under Section 31.2.3.1.2.2 of the CKLOP.

The proposed development conforms to the General Commercial policies of the Lindsay Secondary Plan (Section 31.2.3.2) by appropriately locating a Department Store, which functions as a Large Format Retail use on a highly visible and accessible site as permitted under Sections 31.2.3.2.4.1 and 31.2.3.2.4.2. Consistent with the urban design directives of Section 31.2.3.2.4.4, the proposal successfully consolidates commercial lands into a centralized node, utilizes public right-of-way for residential buffering, and strategically orientates building entrances and driveways to ensure safe, signalized access and street framing. Because a portion of the Subject Lands are already designated General Commercial (and being expanded) and the principle of Large Format Retail (exceeding 3,000 square metres) was established through previous approvals, the application is exempt from the strict market impact and new-use justification tests outlined in Sections 31.2.3.2.4.5 and 31.2.3.2.4.6. As required by Section 31.2.3.2.4.7, a comprehensive Traffic Impact Study has been submitted and peer-reviewed to validate the proposed access configuration and network capacity. The applicant has communicated the benefit of a bolstered and consolidated commercial block and the maintenance of established residential diversity to the community; that notwithstanding, staff encourage the developer to consider how subsequent subdivision phases can compensate for the reduction in residential units. In conclusion, the proposal amendments are consistent with the policies of the Official Plan and Lindsay Secondary Plan.

### **Town of Lindsay Zoning By-law 2000-75**

The existing zoning of the Subject Lands reflects the intent of the previous approvals to permit commercial uses on the former blocks 55 and 56; those permissions were brought about by way of By-law 2023-108. The site-specific GC-S14 Zone added certain permitted uses but does not permit the uses now envisioned by the new applications.

Proposed amendments to the GC-S14 Zone include mapping changes to reflect the new consolidated commercial Block 66, the broadening of permitted commercial uses that reflects the intent of the applicant's commercial developer partner, and revised

performance standards that are tailored to the proposed commercial development which is being refined concurrently through detailed Site Plan design.

### Mapping Changes

The limits of the GC-S14 Zone on Schedule 'A' of By-law 2000-75 require amendment to reflect the lot fabric of the revised DPoS. The resulting consolidation of commercial uses on the site of the commercial centre in Block 66 is consistent with the proposed OP amendments.

### Broadening Commercial Use Permissions

The intent of adding permitted uses is to facilitate the commercial development in line with the requirements of the commercial developer with which the applicant has partnered. Additional uses include expanded and/or more permissive definitions of permitted uses. For department stores, textual amendments will also allow any other permitted use to exist within the department store, such as a pharmacy, personal service establishment, or a travel agency.

The applicant has proposed that site-specific custom definitions be applied to the new uses; these definitions are intended to reflect the specific needs of the commercial development being contemplated, which are not otherwise compatible with the existing definitions of the Zoning By-law. The applicant also requested an exemption from Provision 16.1 of the Zoning By-law, which limits convenience commercial uses to 15% of the gross leasable area of a lot. Together, the broadened commercial use permissions allow for more flexible use permissions on the commercially designated lands.

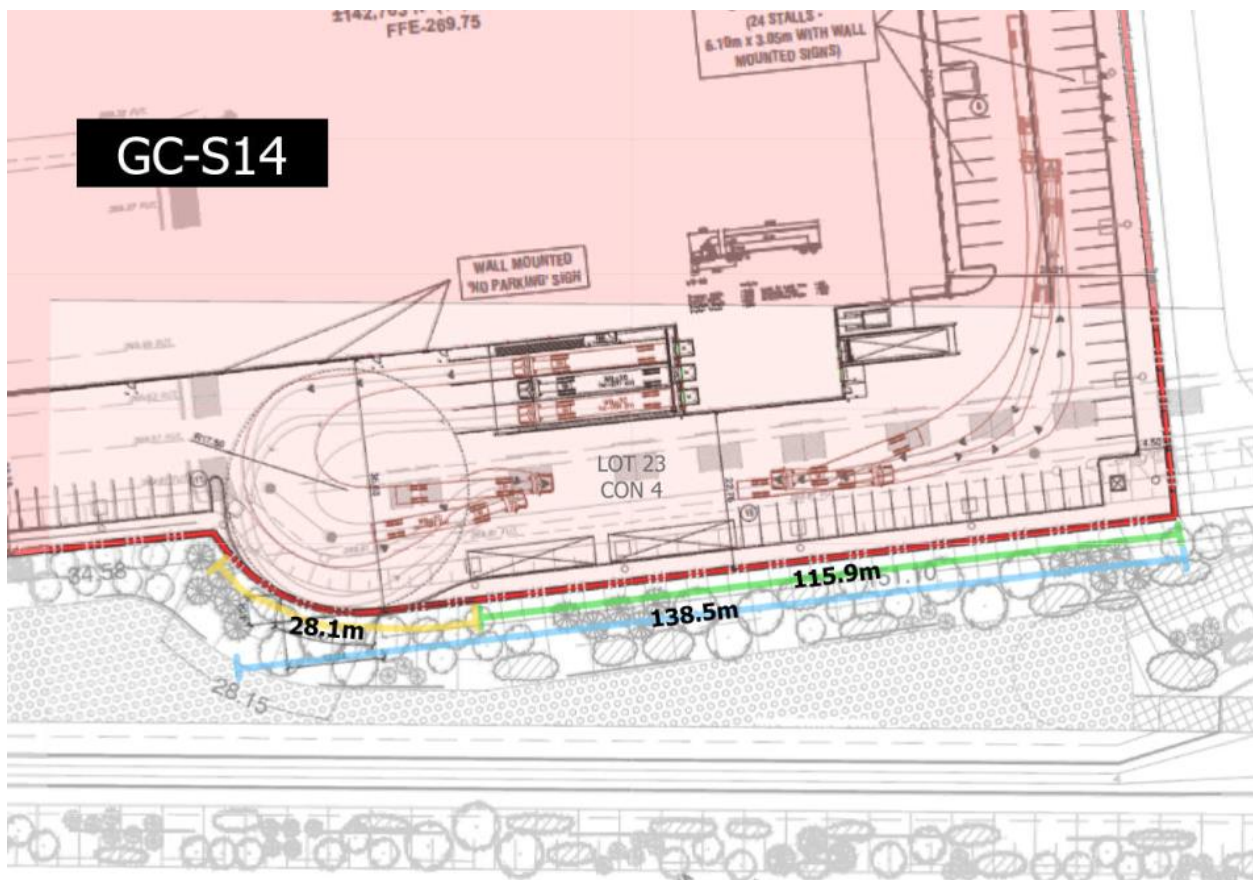
### Revising Performance Standards

The applicant has proposed a simplified commercial parking rate of 3.0 spaces per 100 square metres of GFA to streamline compliance review, given the number of proposed commercial uses which traditionally carry specific parking rates. The comprehensive parking rate was validated as part of the Traffic Impact Study submitted in support of the applications.

Through the concurrent SPA application, specific requirements of commercial tenants were identified which triggered requests for additional relief from certain site development regulations applied under the parent commercial zone (GC-S14). The

applicant has requested exemption from requirements to provide a landscaped strip along a portion of the southern lot line of Block 66, adjacent to a truck turnaround circle (as shown in Figure 1). This request was driven by the operational requirements of the commercial tenant, which mandate increased space to accommodate a larger turn radius for trucks in a loading zone; the larger turn radius overlaps land which would otherwise need to be provided as landscaped buffer. The applicant has also requested the reduction of the minimum loading space width from 4.0 metres to 3.35 metres, and a reduced minimum setback of 1.0 metres between a water chamber structure and any lot line.

Figure 1: Visual Aid to Zoning By-law Amendment showing truck turning area



### Residential Zoning

No textual changes are proposed to the in-force residential Zones in the Subject Lands. In the blocks being re-zoned from commercial (GC-S14) to residential, the RM1-S27 Zone is proposed for most blocks, while the R3S-24 Zone is proposed for blocks which

front onto the collector roads of Sylvester Drive and McKay Avenue. The provisions included in the R3-S24 Zone serve to limit the number of new driveways onto collector roads.

The proposed ZBA meets the general intent and purpose of the Town of Lindsay Zoning By-law 2000-75 by appropriately applying established regulatory categories to the revised DPoS lot fabric. By extending previously approved Zones (RM1-S27 and R3-S24) to the reconfigured residential blocks, the amendment ensures the resulting built form will remain compatible with the density, height, and development regulations previously established by Zoning By-law 2023-108. By expanding the GC-S14 Zone boundary and modifying its text explicitly to permit a department store and establish a harmonized parking rate, the proposal supports the intent of parent By-law's General Commercial (GC) Zone, which is to accommodate a broad, viable range of retail establishments serving the wider community. Consequently, the proposed changes represent context-sensitive performance standards that facilitate orderly, planned development without compromising the integrity of the Zoning By-law.

### **Other Alternatives Considered:**

Planning staff and representatives from other City Departments and agency partners attended regular, recurring roundtable meetings with the applicant and their consultants to refine details of the applications. This included working through iterations and variations of design, and the discussion of policy, including the design of an exemption of a landscaped buffer for a section of the southern lot line of the commercial block. The finalized application is recommended for approval.

### **Alignment to Strategic Priorities:**

The four strategic priorities identified in the 2024-2027 Kawartha Lakes Strategic Plan are as follows:

1. A Healthy Environment
2. An Exceptional Quality of Life
3. A Vibrant and Growing Economy
4. Good Government

The proposed development aligns with the strategic priorities for a "Healthy Environment" and "An Exceptional Quality of Life" by implementing a highly walkable, modified-grid street network that promotes active transportation and minimizes vehicle reliance. Furthermore, the proposed development includes a diverse mix of housing options—including townhouses and single-detached dwellings—integrated with dedicated parkland, open spaces, and comprehensive stormwater management systems.

In support of a "Vibrant and Growing Economy", the application significantly expands the commercial land supply to 6.54 hectares, facilitating Large Format Retail uses that capture regional market demand and generate employment.

Lastly, the proposal supports the strategic priority of "Good Government" by aligning the development pattern with existing and planned municipal water and wastewater infrastructure and provincial and municipal transportation networks.

### **Financial/Operation Impacts:**

There are no financial considerations unless Council's decision is appealed to the Ontario Land Tribunal. In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

### **Consultations:**

The Planning Division received the application submission package on August 10, 2025, which included the following reports and plans in support of the application:

- Application Cover Letter, prepared by Tribute Communities, dated July 28, 2025
- Application Forms, prepared by The Biglieri Group, dated June 12, 2025
- Planning Rationale Report (update), prepared by The Biglieri Group, dated July 2025
- Draft Plan of Subdivision, prepared by The Biglieri Group, dated June 16, 2025
- Master Phasing Plan (update), prepared by The Biglieri Group, dated June 10, 2025
- Retail Market Analysis Study (update), prepared by Parcel Economics Inc., dated June 23, 2025
- Traffic Impact Study Report (update), prepared by Dillon Consulting Limited, dated July 2025
- Traffic Impact Study Appendix (update), prepared by Dillon Consulting Limited, dated July 2025

- A Functional Servicing Study (update), prepared by Dillon Consulting Limited., dated July 2025
- Commercial Site Plan, prepared by Petroff Partnership Architects, dated April 30, 2025
- Urban Design Brief (update), prepared by MBTW Group, dated June 2025
- Environmental Noise Assessment (update), prepared by YCA Engineering Limited, dated July 2025
- Draft Official Plan Amendment, prepared by The Biglieri Group, dated July 2, 2025
- Draft Zoning By-law Amendment, prepared by prepared by The Biglieri Group, dated July 2, 2025

Staff deemed the application 'complete' under the requirements of the Planning Act on August 21, 2025 and initiated Agency consultation on August 21, 2025. The requested review period of the application submission package ended on September 23, 2025. In addition to the review conducted by the applicable City agencies, peer review of the Traffic Impact Study was conducted by R.J. Burnside Inc. The public was notified of the application through circulation of the Notice of Public Meeting on September 17, 2025.

At the Planning Advisory Committee Meeting of October 8, 2025, Staff recommended that the applications be received for information so that a subsequent staff report could come forward with a final recommendation from staff. This report addresses that direction.

The applicant and City staff collaborated to address the deficiencies noted in the initial application. The Planning Division received a second submission package in support of the application on January 14, 2026, which contained materials and plans updated to address issues raised and comments received during the review period of the first submission, including:

- Planning Rationale Report (Addendum), prepared by the Biglieri Group, dated January 6, 2026
- Draft Plan of Subdivision, prepared by the Biglieri Group, revised October 15, 2025
- Traffic Impact Study (Updated), prepared by Counterpoint Land Development, dated January 2026
- Traffic Impact Study Appendices, prepared by Counterpoint Land Development
- Functional Servicing Report (Updated), prepared by Counterpoint Engineering, dated December 2025

- MTO Comment Response Letter, prepared by Counterpoint Land Development, dated October 28, 2025
- Comment Response Matrix, prepared by the Biglieri Group, dated October 15, 2025
- Draft Official Plan Amendment, prepared by the Biglieri Group
- Draft Zoning By-law Amendment, prepared by the Biglieri Group

Staff re-circulated the new documents for Agency consultation on January 14, 2026. All of the reports and plans submitted have been circulated to the applicable agencies and City Departments for review and comment.

The following comments were provided by agencies during the consultation period:

### **Planning**

Planning worked together with the applicant to develop the necessary amendments to the revised conditions of Draft Approval that reflect the redline revisions to subdivision lotting and secure the future completion of outstanding deliverables. Conditions of Draft Approval were created to require the future submission of revised studies including the Environmental Noise Assessment before a subdivision agreement is finalized.

### **Planning – Policy**

Policy Planning staff comments on the first submission focused on ensuring strict alignment of the proposed development with the urban design, transportation, housing, and sustainability directives of the CKLOP. Specifically, staff required technical mapping corrections to land use designations, justification for commercial building placement and medium-density built forms, and the submission of a Retail Market Analysis to support the proposed Large Format Retail uses. Staff evaluated the proposal's active transportation and transit-supportive infrastructure and sought confirmation that the subdivision layout adequately incorporates sustainable development criteria and appropriate streetscape features.

OPA mapping was updated to accurately reflect the naming conventions and spatial extent of the new designations required by the Lindsay Secondary Plan. With regard to commercial building placement, the applicant advised that the siting of smaller buildings is best addressed through the detailed Site Plan process. The road network design was confirmed to rely on the City's 5-metre pavement width standards for collector roads. Active transportation is accommodated through multi-use paths and sidewalks on

collector roads, and single-sided sidewalks on local roads, maintaining previous approvals. A key multi-use path on Street A establishes an active transportation loop linking future trail networks. An updated map was provided demonstrating that 80% of new residential units are situated within 400 metres of planned arterial or collector roads capable of accommodating future transit routes.

### **Human Services – Affordable Housing**

A breakdown of affordable housing units under Section 4.1 of the Development Charges 1997 (“The DC Act”) was requested to facilitate Development Charge exemptions for any units intended to meet the PPS 2024 definition of “affordable”, in order to determine the scope of an Affordable Housing Agreement.

The applicant did not propose any of the residential offerings be dedicated as affordable under the provincial definition in order to receive exemptions. The housing typologies proposed (ranging from detached dwellings to townhouses) do not meet exemption requirements, although Additional Residential Units (ARUs), which would qualify for the exemptions, are permitted as-of-right in all zones where single detached, semi-detached, or townhouse dwellings are permitted.

### **Development Engineering**

The Development Engineering department focused on three technical requirements in their comments on the first submission: implementing access control along the commercial block, securing proper maintenance access and fencing for the stormwater management facility, and accurately tracking servicing capacity through updated unit counts. The applicant has submitted revised materials, including an updated Draft Plan and tracking sheet to address these municipal standards. Development Engineering collaborated with the TIS peer reviewer to evaluate and comment on the updated document.

### **Kawartha Conservation**

Kawartha Conservation reviewed and provided comments and updated conditions for Draft Plan Approval. KRCA issued 14 technical comments on stormwater management, water balance and erosion control following the first submission in 2025. In a clearance letter dated January 30, 2026, 12 of the 14 comments were confirmed to have been

fully addressed. The remaining two items were deferred to the detailed design stage. A concurrent letter from KRCA established 9 technical conditions for Draft Plan Approval.

### **Enbridge Gas**

Enbridge Gas had no objections to the proposed OPA, ZBA and DPoS revisions across both the first and second submissions. Their primary requirement is that the owner provides all necessary easement and agreements for local gas services at no cost to the utility provider to support the subdivision.

### **Alderville First Nation**

Alderville First Nation (AFN) requested and received the Archaeological Assessment and related clearance documentation from the Ministry of Citizenship and Multiculturalism from the applicant. AFN expect to be engaged on any fieldwork.

### **Mississaugas of Scugog Island First Nation**

The Mississaugas of Scugog Island First Nation (MSIFN) requested field verification of a potential wetland located north of Hennessey Crescent, emphasizing that any impacts must be restored or compensated. Furthermore, MSIFN recommended prioritizing natural spaces and extending the proposed multi-use active transportation paths further west to connect with the commercial block. Lastly, MSIFN requested to review the future landscape plan and species planting list. The applicant acknowledged these comments and committed to providing the requested landscaping details during the detailed landscape design phase.

### **Haliburton Kawartha Pine Ridge District Health Unit**

The Haliburton Kawartha Pine Ridge District Health Unit recommended enhancing the commercial site plan to prioritize active transportation, pedestrian safety, and accessibility. Specifically, they requested the integration of central landscaped pedestrian walkways to break up the parking lot and reduce urban heat island effects, the provision of distributed and sheltered bicycle parking, and an increase in accessible parking spaces beyond the minimum requirements to support an aging demographic. The applicant acknowledged these comments and forwarded them to the commercial developer. However, the applicant noted that these detailed micro-design elements are

more appropriately addressed during the subsequent Site Plan Approval process rather than being resolved through the current OPA, ZBA, and DPoS applications.

### **NAV Canada**

NAV Canada requested site plans and architectural drawings showing the height of the proposed buildings. The applicant worked together with their commercial developer partner to provide the architectural drawings set that was submitted in support of the associated SPA application.

### **Ministry of Transportation**

The Ministry of Transportation (MTO) reviewed the first and second submissions for the proposed development, focusing on protecting the operational integrity and future widening of Highway 35. Following an iterative review process and applicant responses, the MTO established updated Draft Plan conditions, and the City's Traffic Management division formally accepted the transportation strategy.

### **Conclusion:**

The proposed Official Plan Amendment, Zoning By-law Amendment, and redlined Draft Plan of Subdivision represent good land use planning and are in the public interest. The application is consistent with the Provincial Planning Statement, 2024 by optimizing planned infrastructure, delivering a diverse mix of housing options (including medium-density townhouses and Additional Residential Units), and promoting economic competitiveness through a consolidated commercial node. Furthermore, the proposal conforms to the City of Kawartha Lakes Official Plan and the Lindsay Secondary Plan by establishing an appropriate, compatible distribution of General Commercial and Residential land uses that integrate active transportation networks, public open spaces, and demonstrated market demand. Finally, the proposed Zoning By-law Amendment satisfies the general intent of the Town of Lindsay Zoning By-law 2000-75 by applying established, site-specific regulatory categories to the revised draft plan fabric, thereby maintaining previously approved residential development standards and introducing context-appropriate commercial provisions.

All technical and agency comments received during the consultation period have been adequately addressed and all statutory and technical requirements have been satisfied. The applicant has demonstrated sufficient municipal water, wastewater, and

stormwater capacity, safe and efficient transportation access without adverse impacts to the Provincial highway system, and appropriate acoustic mitigation measures to ensure compatibility with the Kawartha Lakes Municipal Airport. Given that the detailed design elements of the commercial block will be appropriately regulated through the subsequent Site Plan Control process, Planning Staff recommend approval of the DPoS, OPA and ZBA applications.

Staff respectfully recommends that the Official Plan Amendment, Zoning By-law Amendment, and Redline Revision to Draft Plan of Subdivision including updated conditions of draft approval respecting applications D01-2025-002, D06-2025-011, and D05-2025-003, substantially in the form attached as Appendices C, D, and E, to Report PLAN2026-023, be approved and adopted by Council.

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please email Ben Dunlop at [dillonplanning@kawarthalakes.ca](mailto:dillonplanning@kawarthalakes.ca).

### **Attachments:**

Appendix A – Location Map (see below)

Appendix B – Aerial Map (see below)

Appendix C – Revised Draft Plan of Subdivision (see below)

Appendix D – Draft Zoning By-law Amendment & Schedule



PAC2026-023 -  
Highway 35 & Sylves

Appendix E – Draft Official Plan Amendment



PAC2025-023 -  
Highway 35 & Sylves

Appendix F – Draft Conditions of Approval

Amend the Official Plan (Lindsay Secondary Plan) and Town of Lindsay Zoning By-law  
2000-75 with Redline revision to Draft Approved Plan of Subdivision at Tribute South  
Lands, Part Lots 23 and 24 Concession 4, Former Town of Lindsay – Tribute (Lindsay 1)  
Limited  
Page 20 of 23



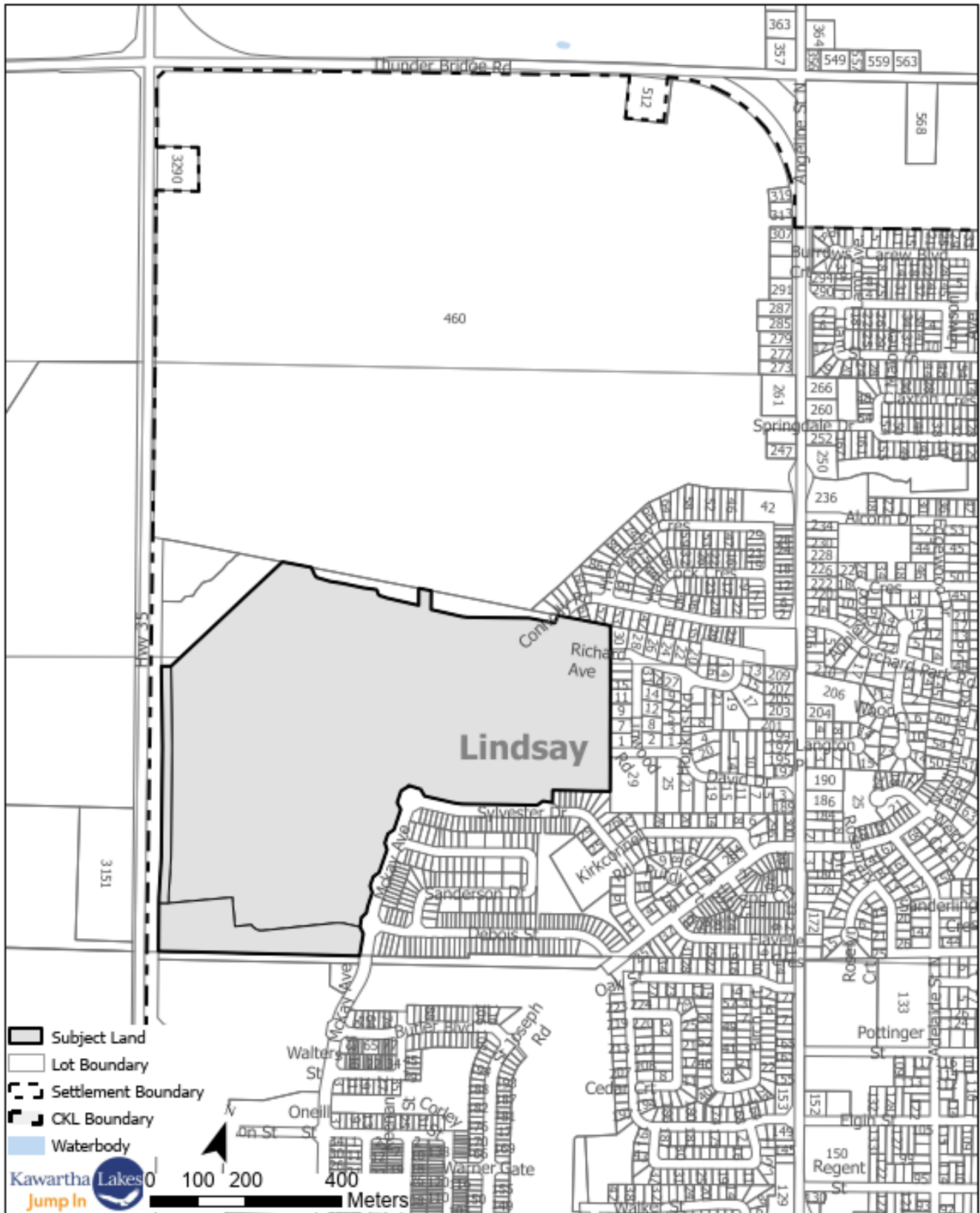
PAC2026-023 -  
Highway 35 & Sylve

**Department Head:** Leah Barrie, Director of Development Services

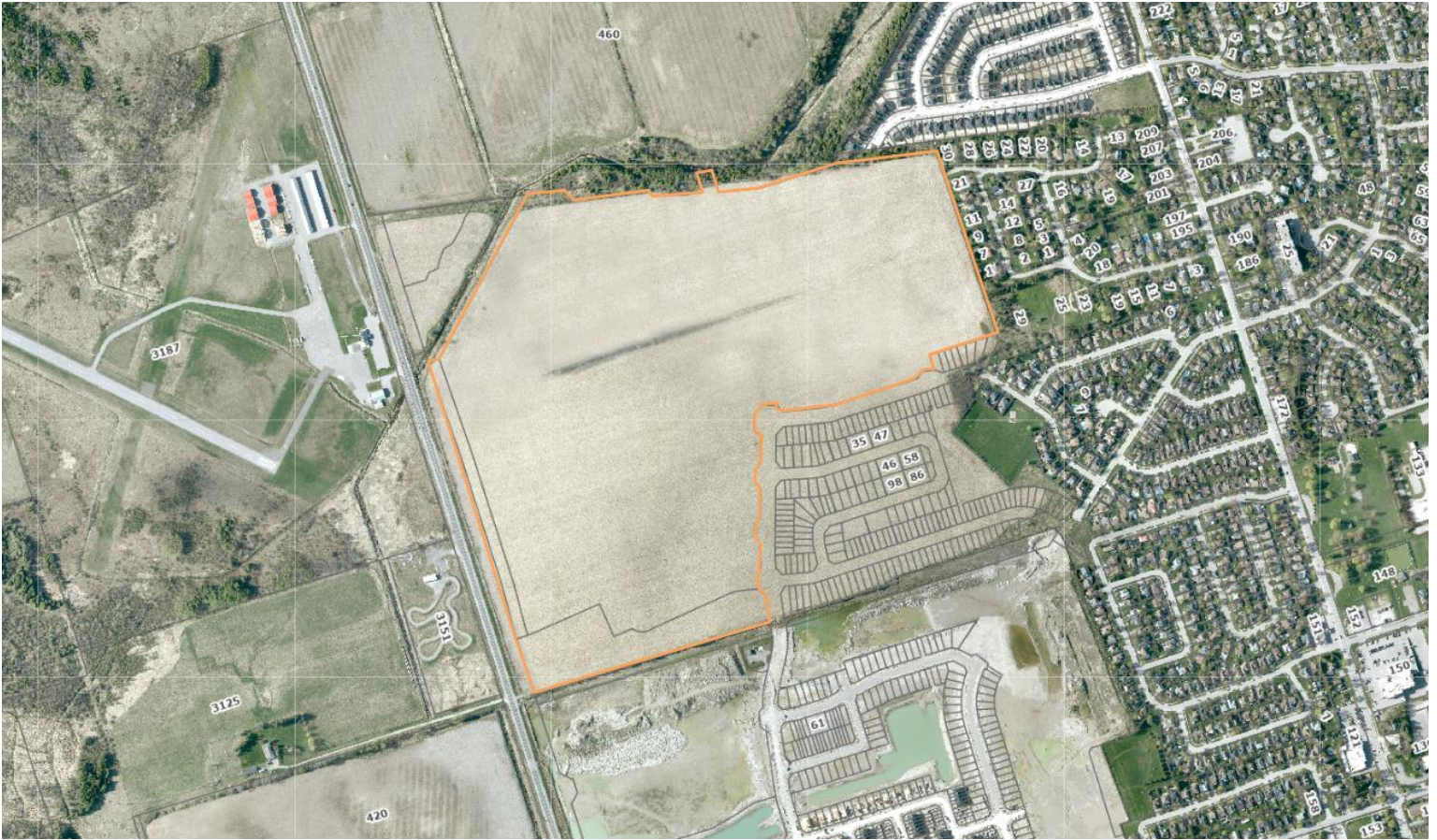
**Department Head email:** [lbarrie@kawarthalakes.ca](mailto:lbarrie@kawarthalakes.ca)

**Department File:** **D01-2025-002, D06-2025-011, and D05-2025-003**

**Appendix A – Location Map**

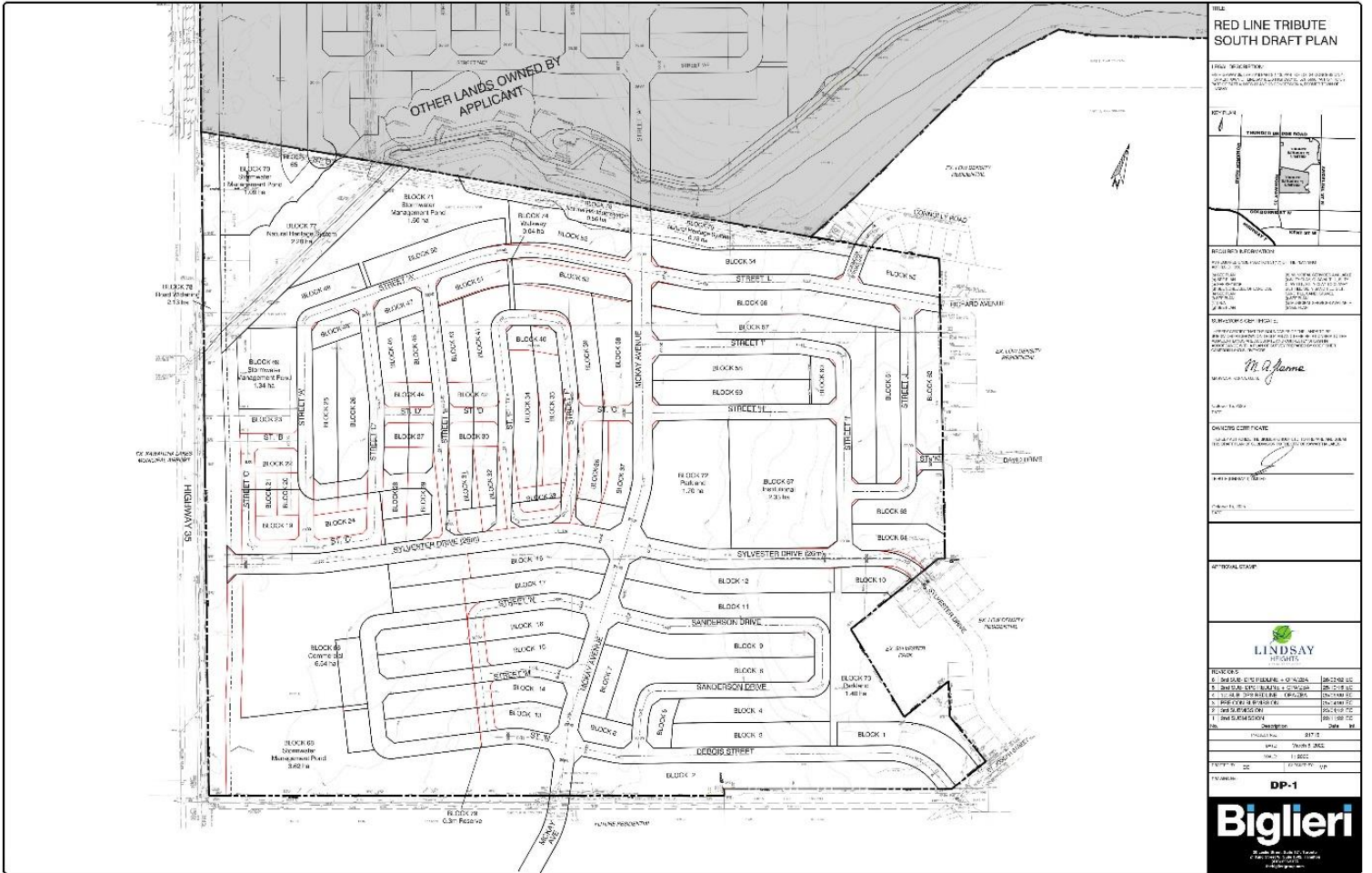


**Appendix B – Aerial Map**



Amend the Official Plan (Lindsay Secondary Plan) and Town of Lindsay Zoning By-law 2000-75 with Redline revision to Draft Approved Plan of Subdivision at Tribute South Lands, Part Lots 23 and 24 Concession 4, Former Town of Lindsay – Tribute (Lindsay 1) Limited  
Page 23 of 23

**Appendix C – Revised Draft Plan of Subdivision**



# The Corporation of the City of Kawartha Lakes

## By-Law 2026 - XXX

### A By-law to Amend the Town of Lindsay Zoning By-law No. 2000-75 to Rezone Land within the City of Kawartha Lakes

[File D06-2025-011 Report PLAN2026-023 respecting Part Lots 23 and 24 Concession 4, geographic Township of Ops, now City of Kawartha Lakes – Tribute (Lindsay 1) Limited.]

#### Recitals:

1. Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land and to permit an expanded general commercial block south of the Sylvester Drive extension and associated re-lotting of the surrounding draft plan of subdivision.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2026-XXX.

#### Section 1.00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this By-law is described as Part Lots 23 and 24 Concession 4, geographic Township of Ops, now City of Kawartha Lakes.
- 1.02 **Text Amendment:** By-law No. 2000-75 of the Town of Lindsay is further amended to add the following text to Paragraph 2 of Section 16.3.15:  
'...
  - v) Children's amusement centre
  - vi) Convenience retail establishment
  - vii) Department store
  - viii) Drug store
  - ix) Dry cleaning depot
  - x) Electric vehicle charging station
  - xi) Gas bar
  - xii) Medical, dental and pharmaceutical services
  - xiii) Banking, financial, and real estate services
  - xiv) Day nursery or day care centre
  - xv) Office
  - xvi) Optical facility and optometrist services

- xvii) Personal service establishment
- xviii) Pet grooming establishment
- xix) Pharmacy
- xx) Retail establishment
- xxi) Specialty food store
- xxii) Travel agency'

1.03 **Text Amendment:** By-law No. 2000-75 of the Town of Lindsay is further amended to add the following text to Paragraph 3 of Section 16.3.15:

'...

- viii) Minimum setback of a water chamber enclosure: 1.0 m from any lot line.
- ix) Notwithstanding clause (v), the maximum height of a structure shall be 12 metres.'

1.04 **Text Amendment:** By-law No. 2000-75 of the Town of Lindsay is further amended to add the following text to Section 16.3.15:

'Notwithstanding Provision 16.1, a convenience retail establishment, drug store, personal service establishment, and pharmacy shall be exempt from the provision limiting convenience commercial uses to a maximum of 15% of the gross leasable floor area per lot.

Notwithstanding any other provision in this By-law to the contrary, on lands zoned GC-S14, a department store may include any other use or uses otherwise permitted on such lands.

Notwithstanding the requirements provided for in subclause 5.12(k)(ii), on lands zoned GC-S14, the Minimum Non-residential Parking Spaces Required shall be 3.0 spaces per 100 square metres of gross floor area.

Notwithstanding the requirements provided for in clause 5.13(a), on lands zoned GC-S14, the minimum Loading Space Width shall be 3.35 metres.

Notwithstanding the requirements provided for in clauses 5.14(c) and 5.14(e), on lands zoned GC-S14, for the purpose of facilitating a truck turning area, no landscaped strip is required along the southern lot line of the commercial block beginning approximately 115.9 metres west of the south-eastern corner of the lot, thence approximately 28.1 metres along the curved portion of the southern lot line to where the curve terminates, approximately 138.5 metres west of the eastern lot line.

Notwithstanding the definitions provided for in Section 4, on lands zoned GC-S14, the following definitions shall also apply:

- i) Banking, financial, and real estate services: means a building or part of a building used for the purposes of administering or providing a range of financial and real estate services to the public, other than exclusively through an automated banking machine.
- ii) Children's amusement centre: means a building or part of a building used for an indoor play area for children.

- iii) Department Store: means a retail commercial establishment where a wide range of merchandise is sold, including but not limited to at least one or more of the following: general merchandise, clothing, household goods, appliances, drugs and medicines, beer and wine, and which may include a supermarket which carries a general range of grocery products including but not limited to fresh produce, fresh meat, fresh dairy products, prepared food products, baked goods, deli products, and frozen foods in addition to packaged and bulk goods and other household items. A Department Store use may also include e-commerce storage and distribution facilities, temporary soil staging areas in conjunction with a garden centre, and vending machines.
- iv) Electric vehicle charging station: means a facility, structure, or area used for the purpose of transferring electric energy to a battery or other energy storage device in an electric vehicle. This may include charging equipment and associated components such as meters, connectors, mounting structures, and signage.
- v) Medical, dental and pharmaceutical services: means a building or part of a building where medical professionals provide medical, dental and pharmaceutical services for the general public without overnight accommodation and may include such uses as reception areas, office areas, and treatment space.
- vi) Optical facility and optometrist services: means a building or part of a building where professionals provide optical-related services and where optical products are sold.
- vii) Pet grooming establishment: means a building or part of a building where pet grooming services are offered. Does not include overnight accommodation of pets.
- viii) Specialty food store: means a building or part of a building, such as a bakery, butcher shop, delicatessen, fish shop, gourmet or cheese shop, or bulk food store, where a specific type or class of foods is sold.
- ix) Travel agency: means a building or part of a building where service and sales related to travel are provided to the general public.'

1.05 **Schedule Amendment:** Schedule 'A' to By-law No. 2000-75 of the Town of Lindsay is further amended to change the zone categories as follows, as shown on Schedule 'A' to this By-law:

- Change 'Residential Multiple Two Special 25 (RM2-S25) Zone' to 'Residential Multiple One Special 27 (RM1-S27) Zone';
- Change 'General Commercial Special 14 (GC-S14) Zone' to 'Residential Multiple One Special 27 (RM1-S27) Zone';
- Change 'Residential Multiple One Special 26 (RM1-S26) Zone' to 'General Commercial Special 14 (GC-S14) Zone';
- Change 'Residential Multiple One Special 27 (RM1-S27) Zone' to 'General Commercial Special 14 (GC-S14) Zone'; and,
- Change 'Residential Multiple One Special 27 (RM1-S27) Zone' to 'Residential Three Special 24 (R3-S24) Zone'.

1.06 **Visual Aid:** Map "B" to this By-law depicts the general configuration of the truck turning area described in Section 1.04 of this By-law. It has been included as a

visual aid for reference purposes only, and does not form part of the amendments to By-law No. 2000-75 of the Town of Lindsay.

## **Section 2.00      Effective Date**

2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Section 34 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this [DAY] day of [MONTH], 2026.

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Douglas J.F. Elmslie, Mayor

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Cathie Ritchie, City Clerk

DRAFT

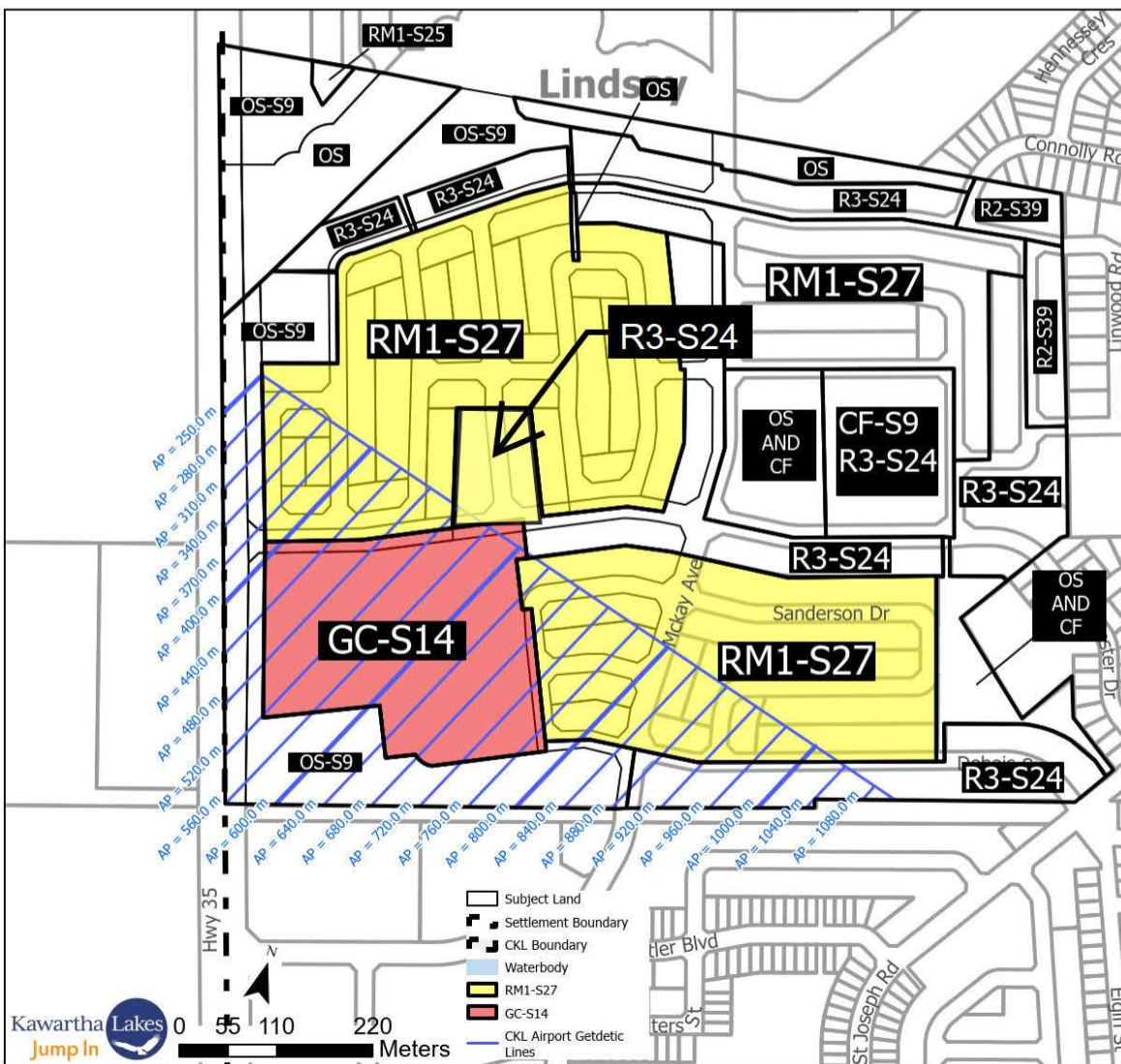
THE CORPORATION OF THE CITY OF

# KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW \_\_\_\_\_ PASSED

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2026.

MAYOR \_\_\_\_\_ CLERK \_\_\_\_\_



March 17, 2026

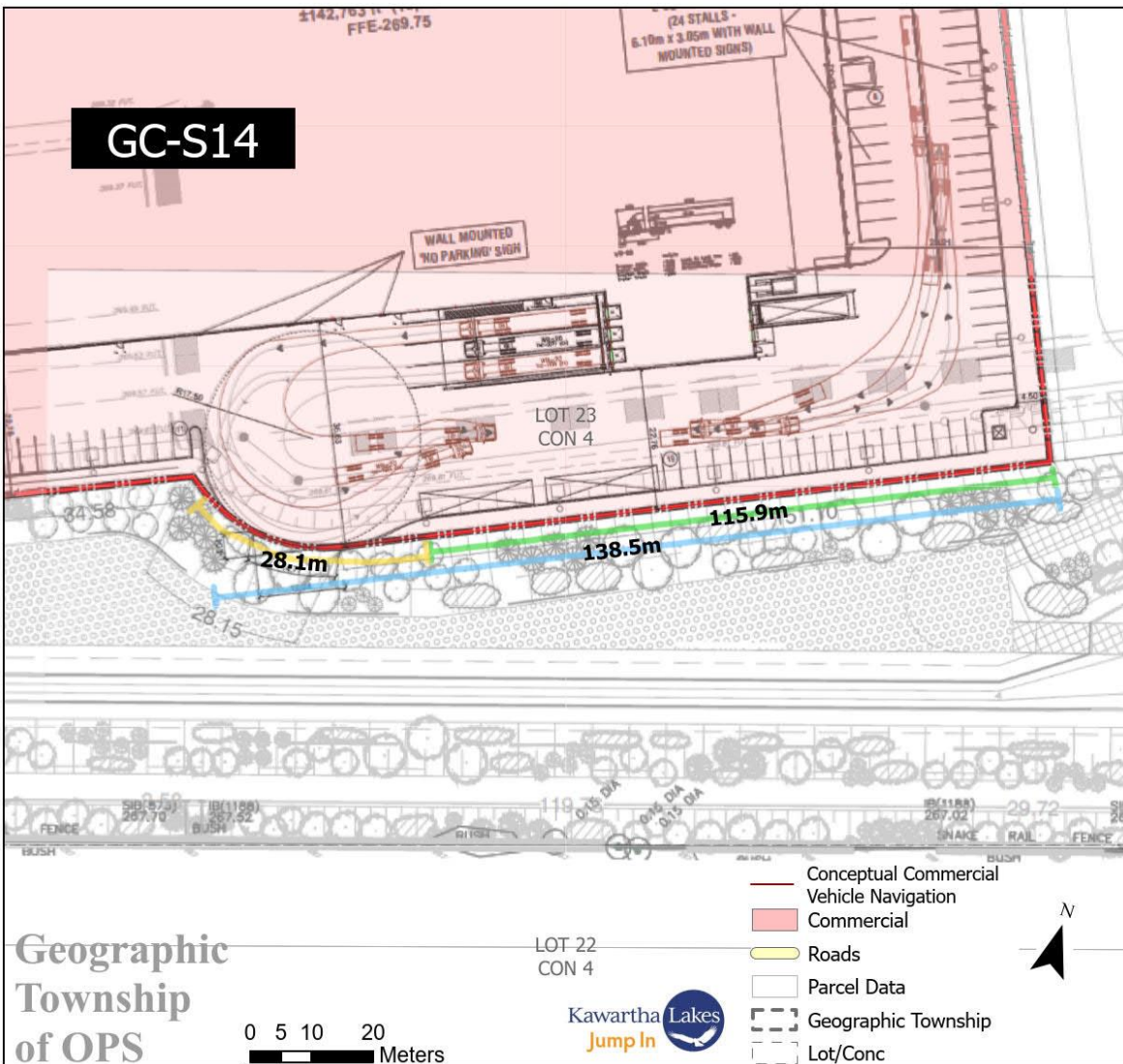
D01-2025-002; D06-2025-011; D05-2025-003 SRQ-40624

THE CORPORATION OF THE CITY OF

# KAWARTHA LAKES

Map 'B' to Amendment No. \_\_\_\_\_

To the \_\_\_\_\_



# The Corporation of the City of Kawartha Lakes

## By-Law 2026-XXX

### A By-Law to Amend the City of Kawartha Lakes Official Plan to Redesignate Lands within the City of Kawartha Lakes

[File D01-2026-002, Report PLAN2026-023 respecting Part Lots 23 and 24 Concession 4, geographic Township of Ops, now City of Kawartha Lakes - Tribute (Lindsay 1) Limited]

#### Recitals:

1. Sections 17 and 22 of the Planning Act, R.S.O. 1990, c. P.13, authorize Council to consider the adoption of an amendment to an Official Plan.
2. Council has received an application to amend the City of Kawartha Lakes Official Plan (Lindsay Secondary Plan) to redesignate certain lands north of the Sylvester Drive extension from “General Commercial” to “Residential” as well as redesignate certain lands south of the Sylvester Drive extension from “Residential” to “General Commercial”. The amendment will result in a larger consolidated commercial block which will facilitate development of a proposed department store.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to adopt Official Plan Amendment Number 26/63.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2026-XXX.

#### Section 1.00 Official Plan Amendment Details

- 1.01 **Property Affected:** The property affected by this By-law is described as Part Lots 23 and 24 Concession 4, geographic Township of Ops, now City of Kawartha Lakes.
- 1.02 **Amendment:** Amendment No. 63 to the City of Kawartha Lakes Official Plan, attached hereto as Schedule ‘A’ and forming a part of this By-law is hereby adopted.

#### Section 2.00 Effective Date

- 2.01 **Force and Effect:** This By-law shall come into force and take effect on the date it is finally passed, subject to the approval of the City of Kawartha Lakes in accordance with the provisions of Section 17 and 22 of the Planning Act, R. S. O. 1990, c. P.13.

By-law read a first, second and third time, and finally passed, this [DAY] day of April, 2026.

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Douglas J.F. Elmslie, Mayor

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Cathie Ritchie, City Clerk

DRAFT

## **Schedule 'A' to By-law No. 2026-XXX**

The Corporation of the City of Kawartha Lakes

### **Amendment No. 63 To The Official Plan – The City of Kawartha Lakes**

#### **Part A – The Preamble**

##### **A. Purpose**

The purpose of the official plan amendment is to redesignate certain lands north of the Sylvester Drive extension from “General Commercial” to “Residential” as well as redesignate certain lands south of the Sylvester Drive extension from “Residential” to “General Commercial”.

The effect of the change would be the creation of a larger consolidated general commercial block which will in turn facilitate development of a proposed department store.

##### **B. Location**

The subject land is legally described as Part Lots 23 and 24 Concession 4, geographic Township of Ops, now City of Kawartha Lakes.

The subject land has a lot area of approximately 73.6 hectares and is located east of Highway 35, south of Jennings Creek and west of the current limits of Sylvester Drive, David Drive and Richard Avenue.

##### **C. Basis**

Council has enacted this official plan amendment in response to an application submitted by The Biglieri Group Limited (applicant) on behalf of Tribute (Lindsay 1) Limited (owner) to permit a larger consolidated general commercial block which will in turn facilitate development of a department store.

The subject lands are also the subject of a related application for Zoning By-law Amendment and a redline revision to the approved Draft Plan of Subdivision.

The subject lands as a whole are designated “Residential”, “Parks and Open Space – New Park”, “Institutional & Community Facilities”, “General Commercial”, and “Policy Area #2” in the Lindsay Secondary Plan.

The proposed use and amendment to the City of Kawartha Lakes Official Plan (Lindsay Secondary Plan) are justified and represent good planning for the following reasons:

1. The proposed development is consistent to relevant provincial policy documents and is consistent with the Provincial Planning Statement (2024).

2. The proposed development conforms to the goals and objectives of the *Residential* and *General Commercial* designations as set out in the Lindsay Secondary Plan.
3. The revisions to the Draft Plan of Subdivision are compatible and integrate well with the surrounding area.
4. The applicant has submitted supporting background reports as required in the Official Plan which demonstrate the appropriateness of the proposed development with respect to matters of land use planning, servicing, traffic, retail market analysis, and urban design.

## **Part B - The Amendment**

### **D. Introductory Statement**

All of this part of the document entitled Part B – The Amendment, consisting of the following text and the attached map constitutes Amendment No. 63 to the City of Kawartha Lakes Official Plan.

### **E. Details of the Amendment**

The Official Plan for the City of Kawartha Lakes is hereby amended as follows:

1. Schedule 'F-1' of the City of Kawartha Lakes Official Plan (Lindsay Secondary Plan) is hereby amended by redesignating certain lands north of the Sylvester Drive extension from *General Commercial* to *Residential*, as shown on Map 'A' to this By-law.
2. Schedule 'F-1' of the City of Kawartha Lakes Official Plan (Lindsay Secondary Plan) is hereby amended by redesignating certain lands south of the Sylvester Drive extension from *Residential* to *General Commercial*, as shown on Map 'A' to this By-law.

### **F. Implementation and Interpretation**

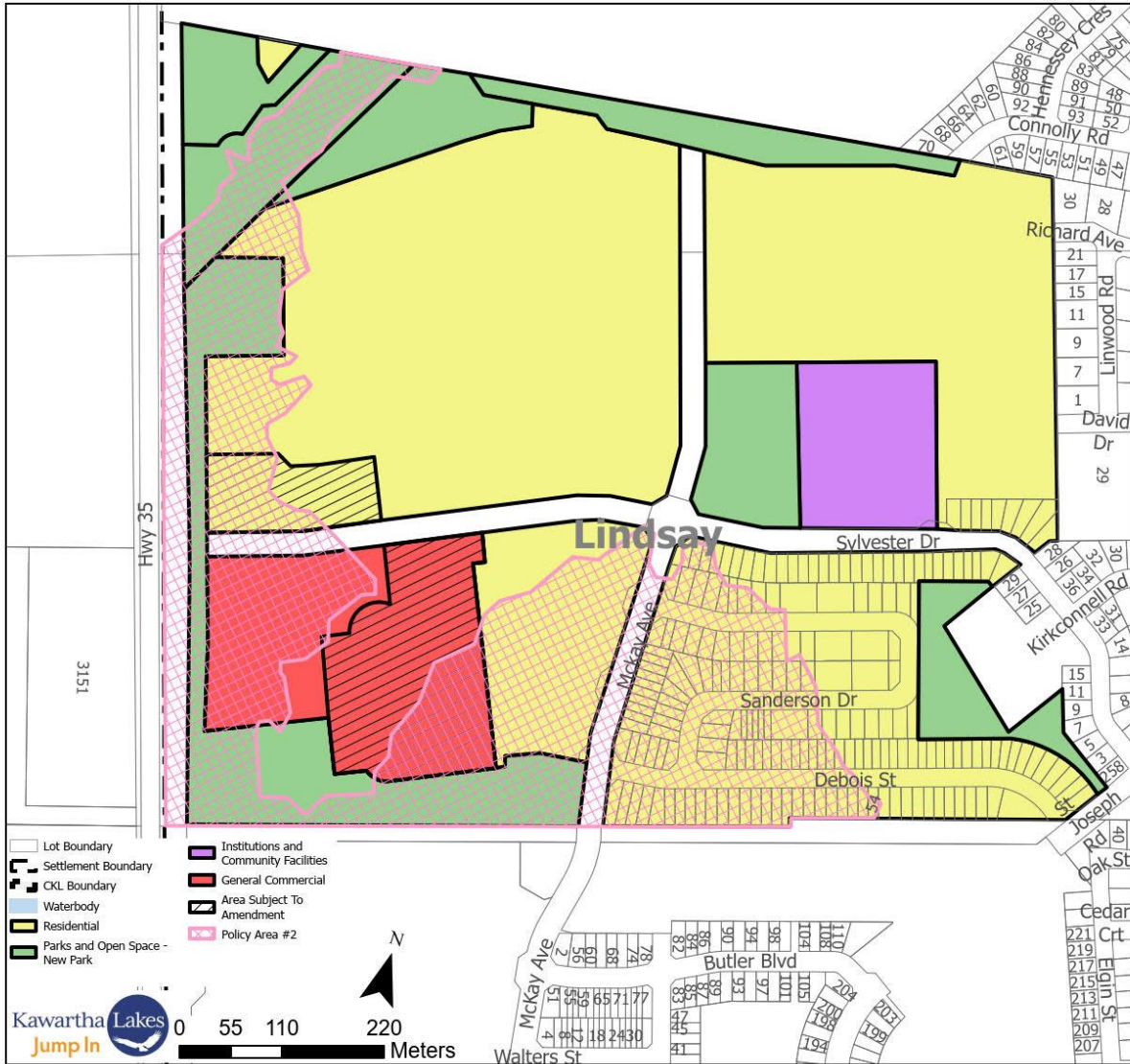
The implementation and interpretation of this amendment shall be in accordance with the relevant policies of the Official Plan.

THE CORPORATION OF THE CITY OF

# KAWARTHA LAKES

Map 'A' to Amendment No. \_\_\_\_

To the \_\_\_\_\_



March 17, 2026

D01-2025-002; D06-2025-011; D05-2025-003 SRQ-40624

## Condition of Draft Plan Approval - Tribute (Lindsay 1) Limited

### Part A – Conditions

#### General Conditions:

1. This approval applies to the draft plan of subdivision 16T-22502 prepared by The Biglieri Group Ltd. Drawing No. DP-1, revision 6, March 2nd, 2026; which shows 65 Blocks with a maximum of 987 residential lots, being located on Blocks 1 to 65 as well as Block 66 being for commercial use, Block 67 being for an elementary school, Blocks 68 to 71 being for stormwater management ponds, Blocks 72 and 73 being for parkland use, Block 74 being for a walkway, Blocks 75 to 77 being for environmental protection, Block 78 being for a road widening, and Block 79 being for a 0.3m reserve.
2. Prior to the signing of the final plan by the Director, a Subdivision Agreement shall be entered into and executed by the Owner and the City to satisfy all financial, legal, and engineering matters, including the design, provision and installation of roads, services, sidewalks, on-street illumination, tree plantings, walkways, daylight triangles, road signs, traffic signals, stormwater management facilities and drainage works, and all recommendations contained in related technical reports approved by the City.
3. The Subdivision Agreement shall confirm the Owner agrees to convey to the City, at no cost, the land comprising the new public streets, day-lighting triangles, road widenings, as shown on the draft M-Plan. Such land to be free and clear of all encumbrances. These lands shall be dedicated as public highways.
4. The Owner agrees, in writing, to the registration of the Subdivision Agreement against the land to which it applies once the plan of subdivision has been registered.
5. The road allowances included in this draft plan shall be shown and dedicated as public highway.
6. The streets shall be named to the satisfaction of the City.
7. Civic addressing shall be assigned based on lots being subdivided in the future, to the satisfaction of the City, and that the assignment of civic addresses be included in the Subdivision Agreement.
8. The schedule to the Subdivision Agreement entitled “Special Warnings and Notices” shall incorporate a notice advising of the existence of the City’s Noise By-law and warning that construction activities within the subdivision may be subject to regulation and/or restrictions thereunder.
9. Prior to the signing of the final plan by the Director, the Planning Division shall confirm that any amendment to the Zoning By-law necessary to implement this plan has been approved and is in effect.

10. An Ontario Land Surveyor shall certify that the proposed lot frontages and areas appearing on the final plan conform to the requirements of the Town of Lindsay Zoning By-law 2000-75, as amended.
11. The streets to be constructed in this development shall be conveyed and dedicated to the City of Kawartha Lakes for public highway purposes at no cost to the City and free of all liens and encumbrances.
12. The Owner shall convey Blocks 68 to 71 to the City free and clear of encumbrances for stormwater management ponds.
13. The Owner shall convey Blocks 72 and 73 to the City free and clear of encumbrances for parkland.
14. The Owner shall convey Block 74 to the City free and clear of encumbrances for a walkway block.
15. The Owner shall convey Blocks 75 to 77 to the City free and clear of encumbrances for environmental protection purposes.
16. A clause will be included in the subdivision agreement stating that the City and the Owner acknowledge that the Final Plan for any phase will further subdivide the residential Blocks into individual lots. The minimum and maximum number of lots per Block will be as shown on draft plan of subdivision 16T-22502 prepared by The Biglieri Group Ltd. Drawing No. DP-1, revision 6, March 2<sup>nd</sup>, 2026, However, in no case shall the number of lots to be registered exceed the maximum number of lots as indicated on the Draft Plan of Subdivision (per Block or cumulatively).
17. In order to track the registration of units on a phase-by-phase basis over time, the Owner will submit with each detailed design submission, for each phase of development, a 'registration tracking document'. The document will provide a summary of lots registered in previous phases, proposed lots to be created in the current phase, and future minimum and maximum unit yield in forthcoming phases based on the approved Draft Plan of Subdivision.
18. The Plan may be registered in phases. The Owner will provide a fully lotted M-plan per proposed phase. Each phase is to demonstrate compliance with the minimum and maximum unit count per block as identified on the draft plan. The Owner will demonstrate compliance with the sanitary allocation provided through the Northwest Lindsay Sanitary Agreement. All draft conditions here-in are to be read in the context of the phase being registered and applied (or not applied) accordingly.

19. The Subdivision Agreement shall contain a clause requiring the Owner to implement the mitigation recommendations of the EIS prepared by Geoprocess to the satisfaction of the Director of Development Services.
20. For the continuation of David Drive and Richard Avenue, the Owner shall purchase the portion of the one-foot reserve located at the terminus of Richard Avenue and David Drive, at an amount not exceeding \$3,000.00 plus Land Transfer tax and reasonable legal fees.
21. The Subdivision Agreement for the phase including Blocks 65 and 70, as well as Street 'O', shall include a provision requiring that these blocks be designed, developed, and registered in coordination with Blocks 24, 25, 97 and Street 'V' of draft plan of subdivision 16T-22502 prepared by the Biglieri Group Ltd. Drawing No. DP-1, revision 3, April 12<sup>th</sup>, 2023.

#### **Engineering and Corporate Assets – General:**

22. The Subdivision Agreement for each phase of the subdivision shall confirm the Owner has paid 75% of the Development Application Approval Processing (DAAP) fee as per By-Law 2007-132, as amended, upon the submission of the first detailed engineering design, and agrees to pay the remaining 25% prior to entering into the Subdivision Agreement based on the final approved cost estimate. The cost estimate will make up Schedule 'D' of the Subdivision agreement, which shall be included in the first engineering submission.
23. The Owner and the City shall agree in the Subdivision Agreement that:
  - a. No building permit will be requested for any individual lot or block until underground municipal services are installed and operational and the roadway is constructed to base asphalt condition.
  - b. All lots and blocks will be developed in accordance with the approved engineering design for the subdivision.
  - c. The building permit applicant for each such lot or block shall submit individual lot grading and drainage plans and receive approval from the City prior to the issuance of a building permit.
24. The Subdivision Agreement for each phase shall confirm the Owner agrees to submit to the City, prior to commencing the installation of services, a Construction Management Plan to regulate the routing of construction traffic through an access provided to the development from Highway 35, subject to MTO approval, the sediment and erosion control plan, for all phases of the development to the satisfaction of the City and in compliance with the City's current standard requirements. Measures to minimize construction debris on the roads as well as road cleaning at the Owner's expense will be included in the Subdivision Agreement. The Subdivision Agreement for each phase shall specify that the Construction Management Plan will be in force until assumption.
25. The Owner shall provide for City approval, a blasting report in compliance with OPSS.MUNI 120 by a qualified Professional Engineer outlining the area subject to any

blasting or rock excavation by explosives for the construction of the proposed infrastructure as well as, blasting techniques being employed. The report shall provide any necessary mitigation measures to ensure that adjacent wells and septic systems are not negatively impacted. The City reserves the right to have the blasting report peer reviewed by a qualified expert at the applicant's expense:

- a. The Owner shall employ a qualified blasting contractor prior to the commencement of any blasting activity on the subject lands.
  - b. Prior to the commencement of blasting activities on the subject lands, the Owner shall provide written notice both to the City and all property Owners within 200 metres of the development area.
26. The Owner shall agree that prior to entering into a Subdivision Agreement with the City, the Owner has fulfilled all obligations to the City required under a Pre-Servicing Agreement as applicable, and as per the City of Kawartha Lakes Council Policy CP2018-009, as amended.
  27. The Subdivision Agreement shall confirm the Owner agrees, prior to offering any Blocks, Lots, dwellings, for sale, to display a map on the wall of the sales office and electronically available in a place readily accessible to potential homeowners that indicates the location of surface infrastructure and streetscaping within the development. In addition, the Owner agrees to have a Schedule of the subdivision agreement containing engineering drawings available for review by all potential homeowners.
  28. The Subdivision Agreement shall include reference to a Legal and Topographic survey for each phase, current to the existing conditions. The survey shall ensure the detailed design maintains and incorporates all boundary conditions. The existing grading shall remain undisturbed and vegetated for a minimum of 0.3 metres within the subdivision property limit.
  29. The Subdivision Agreement shall confirm the Owner agrees to convey to the City, at no cost, Blocks 75 to 77 through Phase 1 of the development. Such land is to be free and clear of all encumbrances.
  30. The Subdivision Agreement shall confirm the Owner agrees to convey to the City, at no cost, the land comprising the new public streets, sight triangles, road widenings, and as shown on the draft plan for each phase as contained in a Schedule of the Subdivision Agreement. Such land to be free and clear of all encumbrances. These lands shall be dedicated as public highways.
  31. The Subdivision Agreement shall confirm the Owner agrees that the existing tile drainage pipe network and all outlets will be decommissioned. Decommissioning details are to be provided in the first detailed engineering design submission.

32. The Subdivision Agreement shall confirm that a construction phasing plan and anticipated timeline shall be submitted to the City at each detailed design phase and provide for suitable road and infrastructure connectivity.

### **Engineering and Corporate Assets – New and Expanded Public Roads and Traffic:**

33. The Subdivision Agreement shall confirm that the Owner agrees to design and construct, entirely at the Owner's expense, the roadways, sidewalks, and all municipal services for the proposed subdivision in compliance or conformance with all current provincial and municipal guidelines and standards.
34. The Subdivision Agreement shall confirm the Owner will design and construct, entirely at their expense, the following:
  - a. The connection to Sylvester Drive and the intersection of Sylvester Drive and Street 'A'.
  - b. The connection to St. Joseph Street and the intersection of Debois Street and St. Joseph Street.
  - c. The connection to Connolly Road and the intersection of Street 'L' and Connolly Road, including connection to the existing Connolly Road, 57M-809, to an urban cross section, including road and entrance realignment and restoration as required.
  - d. The connection to Richard Avenue and the intersection of Richard Avenue and Street 'J'.
  - e. The connection to David Drive and the intersection of David Drive and Street 'J'.
35. Prior to entering into the Subdivision Agreement for Phase 1, the Owner shall provide an updated traffic impact study which includes an analysis of the proposed ultimate traffic conditions of the intersections of Angeline Street / Connolly Road and Street A / Sylvester Drive. As a result, if recommendations for addition improvements, traffic calming measures, signalization, etc. are suggested in the analysis, the Owner will be responsible for all design and construction costs related to the improvements.
36. The Subdivision Agreement shall confirm the Owner will provide for a road connection and adequate lands for the Jennings Creek crossing, at a location identified by the City. The design and construction of the Jennings Creek crossing is identified by the City in the current Development Charges By-Law. The timing of municipal design and construction is subject to Council Approval.
37. The Subdivision Agreement for each phase shall confirm that the Owner has provided an overall traffic lane marking and signage plan and school Block pedestrian crossings as required, the City's satisfaction, including any external improvements required and to be identified through the detailed engineering design, adjacent to the proposed subdivision approved by the City. The installation of pavement markings and signage, as well as any

required modifications to existing pavement markings and signage, shall be at the Owner's expense, included in the cost estimate, Schedule "D" for each phase specific to the detailed engineering design of the subdivision to current municipal standards and to the satisfaction of the City.

38. The Subdivision Agreement for each phase shall confirm that the Owner has provided a composite utility plan which will outline the proposed location of all of the utilities proposed within the subdivision and any external utility works required to facilitate the connectivity of the proposed subdivision to existing utilities. Each utility will provide approval of the same composite utility plan for submission with the plan.
39. The Subdivision Agreement for each phase shall confirm that the Owner has provided a comprehensive streetscaping plan showing all above-ground utilities, streetlights, street furniture, street tree planting, and/or boulevard landscaping, specific to the detailed engineering design of the subdivision to current municipal standards and to the satisfaction of the City.
40. The Subdivision Agreement for each phase shall include provisions concerning the precise location of required fencing, commercial grade black vinyl chain link and/or acoustical fencing, specifically to delineate all future and existing City owned blocks from private property. The detailed engineering design of each phase of the subdivision will be to the satisfaction of the City.

#### **Engineering and Corporate Assets – Site Servicing:**

41. The Subdivision Agreement for each phase shall confirm that municipal water capacity is not guaranteed for the entire development. The Owner is required through the engineering design of each phase of development to confirm with the City that there is sufficient domestic and fire water supply and treatment in the municipal system.
42. The Subdivision Agreement of each phase shall provide for the installation of a piped water supply system, sanitary sewage collection system, storm collection system, and stormwater management system to the satisfaction of the City and all municipal by-laws and design criteria and furthermore, upon satisfactory final inspection, shall provide for the assumption of such systems by the City. The construction and conveyance of the municipal infrastructure shall be at the Owner's expense and responsibility.
43. The Subdivision Agreement shall confirm the Owner will provide for the functional design of sewer and water service laterals for the City of Kawartha Lakes Municipal Airport located at 3187 Highway 35. The Owner is required to include the service connections in the right of way through engineering design of the applicable phase.

The Subdivision Agreement shall confirm that the Owner agrees to design and construct, entirely at their expense, the watermain extension and connections on, McKay Avenue, David Drive, Richard Avenue, Sylvester Drive, and Connolly Road, to provide for adequate redundancy and looping for domestic and fire protection purposes, for each phase. All restoration will be the responsibility of the Owner, to the satisfaction of the City.

44. The Subdivision Agreement for each phase shall confirm that the Owner agrees that all sanitary residential services shall drain by gravity and not use sump pumps and grinder pumps for sanitary drainage. The Subdivision Agreement for each phase shall confirm that the Owner agrees that each of the approved lots will be connected to the City's municipal water, sanitary systems, and storm to the satisfaction of the City.
45. The Subdivision Agreement for each phase shall confirm the Owner has obtained an approved Form 1 – Record of Watermains Authorized as a Future Alteration from the Director of Engineering and Corporate Assets for the water works in accordance with the Safe Water Drinking Act and the Environmental Protection Act or the current municipal and/or provincial approval mechanism.
46. The Subdivision Agreement for each phase shall confirm that the Owner has obtained an Environmental Compliance Approval (ECA) in accordance with the Ministry of the Environment, Conservation and Parks and City standards and guidelines for the municipal storm works in accordance with the Ontario Water Resources Act and the Environmental Protection Act or the current municipal and/or provincial approval mechanism. The Subdivision Agreement shall reference the applicable ECA numbers(s).

**Engineering and Corporate Assets – Stormwater Management:**

47. The Subdivision Agreement for each phase, as applicable, shall confirm that the Owner has submitted a Stormwater Management Facility Operations, Maintenance, Monitoring and Assumption Report, for the use of the Stormwater Management Facilities throughout the phases and stages of development of the subdivision until final assumption of the facility by the City of Kawartha Lakes.
48. The Subdivision Agreement for each phase shall confirm that the City has received a stormwater management report for quantity and quality control, water balance and phosphorus control, prepared by a qualified Professional Engineer in accordance with the applicable standards and guidelines to the satisfaction of the Kawartha Region Conservation Authority and the City. The report shall identify Detailed Design opportunities for City Approved Low Impact Development solutions applicable to the site-specific conditions. The report shall confirm on-site infiltration rates and stormwater management facility sizing requirements based on a comprehensive and field-verified review of the associated drainage area.
49. The Subdivision Agreement for each phase shall confirm that all Stormwater Management facilities have been sized to accommodate all City of Kawartha Lakes, Kawartha Region Conservation Authority, and Ministry of the Environment, Conservation and Parks (MECP) design elements/features in accordance with their standards and design criteria. At the time of detailed engineering design, should review of the Stormwater Management facility design show that the block has been undersized, the Subdivider shall revise the plan to increase the block size accordingly.
50. The Subdivision Agreement for each phase shall confirm that all Stormwater Quality and Quantity objectives are being met on future municipal owned property, and wording will be added to the agreement that all commercial and institutional blocks will be required to

provide independent quality and quantity controls, in compliance with all provincial and municipal guidelines and standards.

51. The Subdivision Agreement for each phase shall confirm that the Owner has submitted an erosion and sediment control plan detailing the measures that will be implemented before, during and after construction to minimize soil erosion and sedimentation prepared to the satisfaction of the Kawartha Region Conservation Authority and the City. The plan shall contain a proactive targeted multi-barrier approach with emphasis on erosion control. Stripping topsoil and earth works must consider a phased approach, and any stripped lands within future phases must be stabilized.
52. The Subdivision Agreement for each phase shall confirm that the Owner has submitted a phosphorus assessment identifying pre-development loadings, anticipated post-development loadings, and opportunities for phosphorus reduction (e.g. best management practices for stormwater management). This assessment will be undertaken in accordance with the provisions of Policy 2 of the Provincial Water Quality Objectives.
53. The Subdivision Agreement for each phase shall confirm that the Owner shall submit a landscaping/planting plan for the stormwater management pond prepared to the satisfaction of the City, in compliance with all provincial and municipal guidelines and standards.
54. The Subdivision Agreement for each phase shall contain, among other matters, the following provisions:
  - a. The Owner agrees to carry out the recommendations of the approved stormwater management report and the approved erosion and sediment control plan. The Agreement shall contain a reference to the plans and reports approved by the Kawartha Region Conservation Authority and the City.
  - b. The Owner agrees to implement all erosion and sediment control structures in a functional manner prior to the site disturbance and maintain these structures operating in good repair during and after the construction period, until such time as all disturbed soil surfaces have become stabilized and/or revegetated.
  - c. The Owner agrees that the City will not be responsible for maintenance and operation of rear lot catch basins on private property.
  - d. The Owner agrees that as-constructed testing, confirmation and engineering certification of stormwater infiltration rates is required as part of the assumption submission, to the satisfaction of the City.
55. The Subdivision Agreement for each phase shall include a clause indicating that prior to assumption, all water quality devices (such as stormwater management ponds, OGS, filter devices etc.) shall be cleaned out to the satisfaction of the City.

**Kawartha Region Conservation Authority:**

56. Prior to final approval, the Owner shall submit a stormwater management report for quantity and quality control, prepared by a qualified Professional Engineer in accordance with the applicable standards and guidelines to the satisfaction of the Kawartha Region Conservation Authority and the City. The report shall identify opportunities for Low Impact Development solutions applicable to the site-specific conditions.
57. Prior to final approval and any grading taking place, the Owner shall submit an erosion and sediment control plan detailing the measures that will be implemented before, during and after construction to minimize soil erosion and sedimentation prepared to the satisfaction of the Kawartha Region Conservation Authority and the City. The plan shall contain a proactive targeted multi-barrier approach with emphasis on erosion control.
58. The Subdivision Agreement shall contain, among other matters, the following provision:
  - a. The Owner agrees to carry out the recommendations of the approved stormwater management report and the approved erosion and sediment control plan. The Agreement shall contain a reference to the plans and reports approved by the Kawartha Region Conservation Authority and the City.
59. Prior to any site alteration, construction, or final approval of the Plan, the Owner shall provide a Final Grading Plan prepared by a qualified professional to the satisfaction of the Kawartha Region Conservation Authority.
60. Prior to any site alteration, construction, or final approval of the Plan, the Owner shall obtain required permits prior to any site alteration or grading activities are permitted on site.
61. A stand-alone operation and maintenance manual for the stormwater management facilities involved (wet pond, wetland etc.) should be submitted and the Owner should ensure that the continued performance of the facility as designed is achieved.
62. Prior to commencing any on-site grading or other site alterations, the KRCA is to advise that the Tribute South Comprehensive Flood Study, prepared by Geoprocess, dated December 1, 2022 has been approved and the detailed grading design is in compliance with the report.
63. The Owner shall implement any identified plan changes and construct infrastructure to accommodate the final Flood reduction engineering solution.
64. The Owner is to satisfy the KRCA that the flood mitigation is in place prior to the issuance of any building permits within the Flood Hazard Policy area. KRCA/CKL will remove the Flood Hazard policy designation upon approval and implementation of flood mitigation measures.

**Finance Department:**

65. That subsequent to the execution of the Subdivision Agreement by the Owner and prior to the signing of the final plan by the Director, the City Treasurer shall confirm in writing to the Director that all financial obligations and payments to the City, as set out in the Subdivision Agreement, in accordance with Condition 2, have been satisfied including, but not limited to:
- a. All applicable Development Charge payments in accordance with the requirements of all applicable Development Charge By-laws,
  - b. All applicable Capital Charge payments in accordance with the requirements of all applicable Capital Charge By-laws,
  - c. All applicable Local Improvement payments in accordance with the requirements of all applicable Local Improvement By-laws,
  - d. All applicable fees payable in accordance with the requirements of all applicable municipal by-laws, including fee by-laws,
  - e. The form and amount of the securities that the Owner is required to have posted to secure its obligations under the Subdivision Agreement, including the identification of any reduction in such securities that has already been incorporated into the Subdivision Agreement,
  - f. Where there has been such a reduction in such securities, a Statutory Declaration submitted on behalf of the Owner confirming payment of all accounts for material, labour and equipment employed in the installation of the services on whose completion such reduction has been computed and applied, and
  - g. Any financial obligations with which the Owner's compliance has been deferred or from which the Owner has been exempted pursuant to the terms of the Subdivision Agreement.

**Fire Department:**

66. The requirements to be addressed in the Subdivision Agreement shall include fire breaks between structures under construction, and the disposal of construction material.

**Ministry of Transportation:**

67. Prior to final approval, the Owner shall submit to the Ministry of Transportation for their review and approval, a copy of the updated stormwater management report, prepared by Counterpoint Engineering, revised December 2025 covering the entire Draft Plan of Subdivision area. The report must satisfy MTO's stormwater management requirements and demonstrate no negative impact on the Highway 35 and/or the highway drainage system.
68. Prior to final approval, the Owner shall submit to the Ministry of Transportation, for their review and approval, a transportation memorandum identifying all required interim

improvements to Highway 35, including the design and construction plan for the signalized Sylvester Drive intersection, required turn lanes, and any necessary temporary works.

69. The Owner shall contribute its share of the financial contributions towards the development driven highway improvement on Highway 35 in accordance with the terms and conditions as set out in the MTO Development Agreement executed May 15, 2024.
70. For the detailed design package for the Highway 35 and Sylvester Drive intersection, the Owner shall submit full intersection design drawings meeting MTO Geometric Design Standards, including channelization, taper lengths, signal plans, illumination, drainage tie ins, and signage/pavement marking plans.
71. The Owner shall agree that no additional direct access onto Highway 35 shall be permitted from the Subdivision area beyond Sylvester Drive.
72. The Owner shall agree that all above and below ground structures, as well as stormwater management facilities shall have a minimum of 6m setback from the future Highway 35 right of way limit.
73. The Owner agrees that MTO will not issue a Building and Land Use Permit under the Public Transportation and Highway Improvement Act and construction activity will not begin on the commercial block (Block 66) until all draft approval conditions are fulfilled to MTO's satisfaction.

**Noise:**

74. Prior to final approval of each phase, the Owner shall submit a Detailed Environmental Noise Assessment, based on detailed engineering grading plans and final lot/block fabrics, to the satisfaction of the City. The Owner agrees that this detailed report shall be subject to a subsequent third-party peer review at the Owner's expense. The Owner shall implement all noise mitigation measures (including central air conditioning, upgraded building components, and acoustic barriers) as finalized in the approved detailed report.

Furthermore, the exact location and configuration of all acoustic barriers (including necessary wrap-arounds for highly exposed blocks such as Blocks 19 and 22) and the final, corrected wording of all Warning Clauses (specifically correcting the erroneous text in Warning Clause G of the March 2026 YCA report) shall be established by the peer-reviewed detailed report, rather than the March 2026 revised report.

75. The Owner agrees to include warning clauses in all offers of Purchase and Sale as noted in the *future detailed* Noise Report. The exact wording of all warning clauses shall be finalized and approved by the City through the subsequent peer review process to ensure the removal of redundant clauses and erroneous text (specifically the removal of peer-reviewer commentary mistakenly included in Warning Clause G of the March 2026 YCA report).

76. Prior to final approval of each phase of development, the Owner agrees to provide a *detailed* Environmental Noise Assessment based on detailed engineering grading plans and final lot/block fabrics. This detailed report shall be subject to a subsequent third-party peer review, at the Owner's expense, to ensure all acoustical mitigation measures are accurately and consistently captured across all text, tables, and figures, to the satisfaction of the City.
77. All Subdivision Agreements for the subject draft plan between the City and the Owner contain a requirement that all Purchase and Sale Agreements for all phases of the approved draft plan contain a clause advising all potential purchasers of the existence of the Airport and that, while noise mitigation measures have been installed with the construction of the house, there may be occasions where Purchasers may be aware of noise related to the Airport's operations.
78. The Owner shall install all acoustical barriers in a location and configuration to be determined at detailed design. The operation and maintenance of said barriers shall be the responsibility of private property Owners. The Owner agrees to a clause in the Subdivision Agreement that requires that all Purchase and Sale Agreements to prospective purchasers include a clause notifying the purchaser of their responsibility related to the location and maintenance of fencing where it is located on private property.

**Parks:**

79. The Owner agrees that the City, pursuant to section 51.1 of the Planning Act, requires 5% conveyance of parkland for the single-detached, semi-detached, and townhouse dwelling units as well as 2% conveyance of parkland for commercial blocks. The Owner and the City Agree that Blocks 72 and 73 to wholly satisfy the City's parkland requirement pursuant to the Planning Act. The City shall require conveyance of such Blocks to the City during the corresponding phase of development/registration.
80. The Owner shall supply and install a 1.2 metre black vinyl chain link fence along the boundary of parks, open spaces and public walkway blocks abutting residential lots or blocks.

**Schools:**

81. The following provisions shall apply equally to the Trillium Lakelands District School Board (TLDSB) and the Peterborough Victoria Northumberland and Clarington Catholic District School Board (PVNCCDSB).
82. Prior to final approval of the draft plan, the Trillium Lakelands District School Board (TLDSB) and the Peterborough Victoria Northumberland and Clarington Catholic District School Board (PVNCCDSB) shall be satisfied that appropriate clauses are contained within the Subdivision Agreement as follows:

- a. On a first come, first serve basis, the Owner and a School Board agree to enter into an Option Agreement for the potential acquisition of Block 67 at fair market value.
- b. The agreement shall, among other matters, provide for the levelling, rough grading and seeding of Blocks, the provision of municipal services to the site, and the installation of a 1.8 metre high chain link fence on the perimeter where it abuts proposed or existing residential lands, to the satisfaction of the School Board.
- c. Owner to provide a geotechnical report.
- d. Any filling on the School Block is to meet the soil bearing requirements of the School Board
- e. Owner shall grade, topsoil and sod or hydroseed the School Block to the satisfaction of the School Board.
- f. All Subdivision Agreements for the subject draft plan between the City and the Owner contain a requirement that all Purchase and Sale Agreements for all phases contain a clause advising all potential purchasers that:
  - i. While an Elementary School site has been reserved within the approved draft plan of subdivision for the School Board that it may not be constructed and used as an Elementary school site.
  - ii. All potential purchasers are further advised that an existing school will be used to accommodate all elementary pupils until such time as a new Elementary School can be constructed.
  - iii. Further the clause shall advise that if no new Elementary school is constructed in the approved draft plan then all elementary pupils will continue to be accommodated at an existing Elementary School(s).
- g. All Subdivision Agreements for the subject draft plan between the City and the Owner contain a requirement that all Purchase and Sale Agreements for all phases of the approved draft plan contain a clause advising all potential purchasers that all Secondary pupils will be accommodated at an existing Secondary School(s) as no Secondary School site is proposed within the approved draft plan.
- h. The pertinent Subdivision Agreements for the subject draft plan between the City and the Subdivider contain a requirement that Purchaser and Sale Agreements for Block 67 of the approved draft plan contain a clause notifying Purchasers of the location of a school on adjacent lands and that such school activity may give rise to noise and traffic
- i. The Owner shall install a sidewalk within the road allowance for any roads that are adjacent to the proposed Elementary School in the draft plan subdivision, in accordance with the City of Kawartha Lakes infrastructure design guidelines.
- j. The Owner shall install a 1.8 metre galvanized coated chain link fence of standard school construction (#9 gauge galvanized or #6 gauge vinyl coated) along the perimeter of the school block where it abuts proposed or existing residential lands (lots or blocks)

**Utilities:**

83. The Owner shall make satisfactory arrangements, financial and otherwise, shall be made with Bell Canada for any Bell underground facilities serving the subdivision.
84. The Owner agrees that if there are any conflicts with existing Bell Canada facilities or easements, the Owner/Owner shall be responsible for rearrangements or relocation.
85. The Owner shall agree in the Subdivision Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the Owner/Owner shall be responsible for the relocation of such facilities or easements.
86. The Owner is hereby advised that prior to commencing any work within the Plan, the Owner must confirm that sufficient wire-line communication / telecommunication infrastructure is currently available within the proposed development to provide communication / telecommunication service to the proposed development. In the event that such infrastructure is not available, the Owner is hereby advised that the Owner may be required to pay for the connection to and/or extension of the existing communication / telecommunication infrastructure. If the Owner elects not to pay for such connection to and/or extension of the existing communication / telecommunication infrastructure, the Owner shall be required to demonstrate to the municipality that sufficient alternative communication / telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication / telecommunication services for emergency management services (i.e., 911 Emergency Services).
87. Satisfactory arrangements, financial and otherwise, shall be made with Cable Cable Inc. for any underground facilities serving the subdivision.
88. The Owner agrees in the Subdivision Agreement with the City to grant Cable Cable Inc. any easements that may be required.
89. If there are any conflicts with existing Cable Cable Inc. facilities or easements, the Owner/Owner shall be responsible for rearrangements or relocation.
90. Satisfactory arrangements, financial and otherwise, shall be made with Nexicom Inc. for any underground facilities serving the subdivision.
91. The Owner agrees in the Subdivision Agreement with the City to grant Nexicom Inc. any easements that may be required.
92. If there are any conflicts with existing Nexicom Inc. facilities or easements, the Owner/Owner shall be responsible for rearrangements or relocation.

93. The Owner will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The Owner will then indicate these locations on the Composite Utility and Streetscaping Plans submitted to the City's Engineering and Corporate Assets Department.
94. The Owner agrees in the Subdivision Agreement, prior to offering any Blocks, Lots, dwellings, commercial units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post. In addition, the Owner agrees to have Schedule "A" the approved Engineering drawings of the Subdivision Agreement available for review by all potential homeowners.
95. The Owner agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The Owner also agrees to note the locations of all Community Mail Boxes within the development /subdivision, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.
96. The Owner will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading is completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the dwellings / units are occupied.
97. The Owner agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
- a. Any required walkway across the boulevard, per municipal standards; and
  - b. Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications).
98. Satisfactory arrangements, financial and otherwise, shall be made with Cogeco Connexion Inc. for any Cogeco underground facilities serving the subdivision.
99. The Owner agrees in the Subdivision Agreement with the City to grant Cogeco Connexion Inc. any easements that may be required.
100. If there are any conflicts with existing Cogeco Connexion Inc.'s facilities or easements, the Owner/Owner shall be responsible for rearrangements or relocation.
101. The Owner agrees that the Subdivision Agreement contain a provision to ensure that the Owner grade all boulevards to final pre-soil subgrade elevation prior to the installation of the gas lines, and provide the necessary field survey information required for the installation of the gas lines, all to the satisfaction of Enbridge Gas Inc. if required.

102. The Owner agrees in the Subdivision Agreement with the City to grant Enbridge Gas Inc. any easements that may be required.
103. The Owner agrees that prior to the signing of the final plan by the Director, the Owner shall satisfy all requirements, financial and otherwise, of the Hydro One Networks Inc.
104. The Owner agrees to enter into a Subdivision Servicing Agreement for Electrical Servicing with Hydro One Networks Inc. This Servicing Agreement will specify all the terms, conditions, and financial obligations to facilitate the extension of electrical servicing to these lands. Hydro One may as part of its Electrical System Servicing Agreement, require a type of Development Charge or Systems Capital Contribution Fee towards the provision of system(s) capacities expansion outside of the development but necessary to ensure the integrity of the Company's Power distribution grid.
105. Prior to the signing of the final plan by the Director, the Owner will ensure that clearance letters from the appropriate authorities have been submitted to the Planning Division so as to confirm how the above noted conditions have been satisfied.
106. Prior to the signing of the final plan by the Director, the Planning Division shall confirm that Conditions 1 to 21 and 105 have been satisfied.
107. Prior to the signing of the final plan by the Director, the Engineering and Corporate Assets Department shall confirm that Conditions 22 to 55 and 74 to 78 have been satisfied.
108. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Kawartha Region Conservation Authority indicating how Conditions 56 to 64 have been satisfied
109. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Taxation and Revenue Division indicating how Condition 65 has been satisfied.
110. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Fire Rescue Service indicating how Condition 66 has been satisfied.
111. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Ministry of Transportation indicating how Conditions 67 to 73 have been satisfied.
112. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Community Services Department/Division indicating how Conditions 79 and 80 have been satisfied.

113. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the TLDSB indicating how Conditions 81 and 82 have been satisfied.
114. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the PVNCCDSB indicating how Conditions 81 and 82 have been satisfied.
115. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from Bell Canada indicating how Conditions 83 to 86 have been satisfied.
116. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Cable Cable Inc. indicating how Conditions 87 to 89 have been satisfied.
117. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Nexicom. indicating how Conditions 90 to 92 have been satisfied.
118. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Canada Post Corporation indicating how Conditions 93 to 97 have been satisfied.
119. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Cogeco Cable Solutions indicating how Conditions 98 to 100 have been satisfied.
120. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from Enbridge Consumer Gas indicating how Conditions 101 and 102 have been satisfied.
121. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from Hydro One Networks Inc. indicating how Conditions 103 and 104 have been satisfied.
122. Prior to final approval, Owner agrees to ensure a clearance letter or acknowledgement letter is obtained from the Ministry of Tourism, Culture and Sport for the Archaeological Assessment. If no further archaeological work is necessary, then no clearance is required.

## **Part B – Lapsing**

All conditions shall be fulfilled and satisfied, and final approval shall be given or this draft plan approval shall be deemed to have lapsed pursuant to the Planning Act, R.S.O. 1990, as amended, after three (3) years from the date the Notice of Decision is sent out with respect to this draft approval.

Extensions to draft approval may be considered provided that existing technical reports remain applicable or updates are provided and the provisions of **By-law 2026-0XX**, as amended are met.

Any request for Draft Plan Approval extension shall include the City's required update to the draft plan including any supporting documentation to ensure compliance or conformance with all current provincial and municipal guidelines and standards. Designs and reports shall be updated by the Owner as required, to the satisfaction of the City.

DRAFT



## Planning Advisory Committee Report

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<b>Report Number:</b>	<b>PLAN2026-026</b>
<b>Meeting Date:</b>	April 8, 2026
<b>Title:</b>	<b>Redline Revision to Draft Approved Plan of Subdivision 16T-22503 (Grace &amp; Grand Phase 1), Part Lot 20, Concession 7, Geographic Township of Ops, City of Kawartha Lakes - Flato Lindsay Community Inc.</b>
<b>Description:</b>	The redlined draft plan addresses minor revisions consistent with pre-servicing engineering submissions – File D05-2022-003
<b>Type of Report:</b>	Regular Meeting
<b>Author and Title:</b>	Leah Barrie, Director of Development Services

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### Recommendations:

**That** Report **PLAN2026-026, Redline Revision to Draft Approved Plan of Subdivision 16T-22503 (Grace & Grand Phase 1), Part Lot 20, Concession 7, Geographic Township of Ops, City of Kawartha Lakes - Flato Lindsay Community Inc.**, be received;

**That** the Redlined Draft Plan of Subdivision and Revised Conditions of Draft Approval, substantially in the form attached as Appendices C and D to Report PLAN2026-026 be approved by Council; and

**That** the Mayor and Clerk be authorized to execute the documents and agreements required by the approval of this Application.

**Department Head:** \_\_\_\_\_

**Legal/Other:** \_\_\_\_\_

**Chief Administrative Officer:** \_\_\_\_\_

## **Background:**

PAC was first presented with the application for draft plan approval at their meeting of October 12, 2022. At that time, the application proposed 15 blocks for 84 townhouse dwelling units, 2 blocks for future development, and 3 municipal roads (PLAN2022-064)<sup>1</sup>. The lands subject to residential development are within the serviced Lindsay urban settlement area; the balance of the draft approved lands is outside of the urban settlement area, and contain the stormwater management block and future development blocks. These lands will be retained in part for future development purposes with a portion of the land being dedicated to the City for infrastructure purposes. PAC referred the matter back to staff for further review.

PAC was next presented with a revised application for draft plan approval at their meeting of September 13, 2023. The revised application proposed 20 blocks for 113 townhouse dwelling units, 3 blocks for future development, a parkette, a stormwater management facility, and 5 municipal roads (PLAN2023-048). The primary reason for the change was to have the subdivision connect to CKL Road 36 in its final location rather than provide a sub-standard entrance originally proposed between existing homes. PAC recommended to Council approval of the application.

Council draft approved the plan of subdivision on September 26, 2023.

The proponent proceeded to file pre-servicing engineering submissions that were not consistent with the draft approved plan. Consequently, the proponent filed a 'redline' revision request on December 16, 2024 in order to address this inconsistency. Staff and the proponent were engaged in numerous discussions through 2025 to ensure the revisions were reasonable and appropriate.

PAC is currently being presented with the 'redline' revision to the draft approved plan. The draft approved plan needs to be revised prior to pre-servicing approvals, and any other development, including the construction of model homes. The original draft approved plan of subdivision and conditions of draft approval are attached at Appendices A and B, respectively. The redlined draft plan and resulting revised conditions of draft approval are contained in Appendices C and D, respectively.

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<sup>1</sup> See Schedule 1 – Location Map

The developer is actively pursuing a Pre-servicing Agreement, with a Model Home Agreement to follow.

<b>Owner:</b>	Flato Lindsay Community Inc.; and, Flato Lindsay Community Four
<b>Applicant:</b>	Malone Given Parsons
<b>Legal Description:</b>	Part Lot 20, Concession 7 (being Parts 1 and 2, RP 57R-10414) Geographic Township of Ops; '0 Highway 36'; and, Part Lot 20, Concession 7 (being Part of Part 1 and Part 4, RP 57R-580) Geographic Township of Ops; '258 HIGHWAY 36'; all in the City of Kawartha Lakes
<b>Designation:</b>	'Urban Settlement Area' on Schedule A-3 to City of Kawartha Lakes Official Plan, 2012  (balance of lands outside of the Urban Settlement Area are designated 'Prime Agricultural' and 'Environmental Protection')
<b>Zoning:</b>	Minister's Zoning Order: Ontario Regulation 771/21, as amended by O. Reg. 163/22, O. Reg. 490/22 and O. Reg. 54/23
<b>Lot Area:</b>	72.21 hectares (178.43 acres) of which only 8.09 hectares (20.0 acres) will be developed in Phase 1
<b>Site Servicing:</b>	Proposed full urban services: municipal water, sanitary sewer and storm sewer
<b>Site Access:</b>	Municipal – Arterial (CKL Road 36)
<b>Existing Uses:</b>	Vacant land (Agricultural)
<b>Adjacent Uses</b>	North: Low-density residential; Trillium Lakeland District School Board Lindsay Education Centre; I.E. Weldon Secondary School East: Agricultural vacant land (future residential) South: Low-density residential; Agricultural vacant land (future residential)

	West: CKL Road 36; Eastview Road; Low-density residential
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## Rationale:

The 'redline' revision proposes the following components:

- Reduced right-of-way width of Street 'A' from 26 metres to 20 metres representing a change from Collector to Local road status;  
**Result:** Increased residential lot depths by 3 metres within Blocks 16, 17, 18, 19, and 20.
- Replacement of the parkette in Block 25 with 'future development' blocks;  
**Result:** 6.0 metre wide servicing block connecting CKL Road 36 to Street 'B'.

According to the submissions filed, the proposed width reduction of Street 'A' is appropriate and minor as it results in no changes to the development yield on the Draft Plan (being 113 townhouse dwelling units), does not impact any existing land uses or neighbouring developments, and is technically supportable from a transportation and servicing perspective, as demonstrated in the Traffic Impact Study – Addendum. Street 'A' continues to be proposed as an overland storm sewer flow route and access to the stormwater management block (Block 24), and is of sufficient width at 20 metres to achieve this purpose.

Staff have determined that a portion of the Block 25 parkette is needed for infrastructure, and, cash-in-lieu of parkland is more appropriate than acquiring lands for the proposed parkette.

## Land Use Policies:

### Provincial Planning Statement, 2024 (PPS)

The PPS provides policy direction on matters of provincial interest related to land use planning and development. Under the PPS, municipalities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents. Settlement areas shall be the focus of growth and development, where land use patterns should be based on densities and a mix of land uses which efficiently use land and resources, optimize existing and planned

infrastructure and public service facilities, and support walkability and active transportation.

The 'redline' revision is consistent with the PPS as all of the primary policy considerations are addressed.

### **City of Kawartha Lakes Official Plan, 2012**

The 'redline' revision continues to conform to the land use policies within both the designations of the 'Urban Settlement Area' (City of Kawartha Lakes Official Plan) and 'Residential' (Lindsay Secondary Plan) for residential uses and appropriate infrastructure.

### **Zoning Compliance**

The lands are subject to a Minister's Zoning Order (MZO): O. Reg. 771/21, as amended as amended by O. Reg. 163/22, O. Reg. 490/22 and O. Reg. 54/23.

The 'redline' revision continues to comply with Section 3(e) of O. Reg. 771/21 (as amended) that permits townhouse development.

### **Other Alternatives Considered:**

No other alternatives have been considered.

### **Alignment to Strategic Priorities:**

The four (4) strategic priorities within the 2024-2027 Kawartha Lakes Strategic Plan are:

1. Healthy Environment
2. An Exceptional Quality of Life
3. A Vibrant and Growing Economy
4. Good Government

The 'redline' revision aligns with the 'Exceptional Quality of Life' priority by continuing to facilitate new development which provides new housing stock; and, aligns with the 'Healthy Environment' priority by promoting sustainable development through the

utilization of Low Impact Development (LID) techniques where possible to protect and enhance water quality.

If approved, this proposal will help the City achieve its target of constructing 6,500 housing units by 2031 as stated in the Housing Pledge adopted by City Council on November 21, 2023.

### **Financial/Operation Impacts:**

There are no financial or operation impacts regarding Council's decision to approve or refuse the 'redline' revision request. The decision cannot be appealed by a third party.

### **Servicing Comments:**

Full urban services are proposed to provide municipal water, sanitary sewer and storm sewer in accordance with detailed design drawings and all necessary approvals.

### **Consultations:**

In accordance with the Planning Act, 'redline' revisions are not subject to a public notification process.

### **Agency Comments**

#### **Bell Canada:**

Bell Canada has no further comment and would like to keep our previous comments intact.

#### **Enbridge Gas:**

Enbridge Gas does not have changes to the previously identified conditions for this revised application(s).

#### **Kawartha Conservation:**

Based on our review of just the redline drawings, we have no concerns from a natural hazards perspective. That said, there are still a few comments from our previous submission that remain outstanding.

### **ECA-Development Engineering:**

Development Engineering has no concerns with the redline revision to the Draft Plan for Flato Phase 1. Development Engineering has been reviewing detailed engineering designs to support pre-servicing (currently earthworks in place, working towards undergrounds) and ultimately subdivision agreement based off the redlined draft plan. Engineering defers to the Planning Division to confirm the draft plan conditions and any block references/numbering are updated accordingly.

### **Legal Services:**

The owner has entered into a Master Development Agreement ('MDA') with the City that provides a framework for obligations from the owner as well as from the municipality. Phase 1 accrues a commitment of 11.3 units of affordable housing, which will be provided in the next phase of subdivision development. At it pertains to Phase 1, the MDA also identifies a set rate cash contribution to support affordable housing, cultural initiatives and tree removal, payable at the time of subdivision registration.

The conditions of draft approval have been revised in accordance with the MDA to recognize the above payment obligations, as well as the development of a Tree Management Plan and matters relative to archaeology.

City staff commit to keeping Alderville First Nation apprised should any further changes be proposed.

### **Conclusion:**

The intent of Council's original draft approval is maintained through the 'redline' revision. Minor realignments are warranted to address infrastructure and servicing needs. The conditions of draft approval have been revised to include requisite elements of the Master Development Agreement.

In consideration of the comments contained in this report, Staff respectfully recommend the redlined draft plan of subdivision and revised conditions of draft approval, contained in Appendices C and D, be referred to Council for **approval**. In accordance with subsection 51(47) of the Planning Act, the revisions are minor and therefore, further notice pursuant to subsection 51(45) is not required.

## Attachments:

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please email [planningadmin@kawarthalakes.ca](mailto:planningadmin@kawarthalakes.ca).

### Appendix A – Draft Approved Plan of Subdivision



20250610 Draft Plan  
approved and signe

### Appendix B – Conditions of Draft Approval



16T-22503  
D05-2022-003 Condi

### Appendix C – Redlined Draft Plan of Subdivision



20241212 Redlined  
Draft Plan of Subdiv

### Appendix D – Revised Conditions of Draft Approval



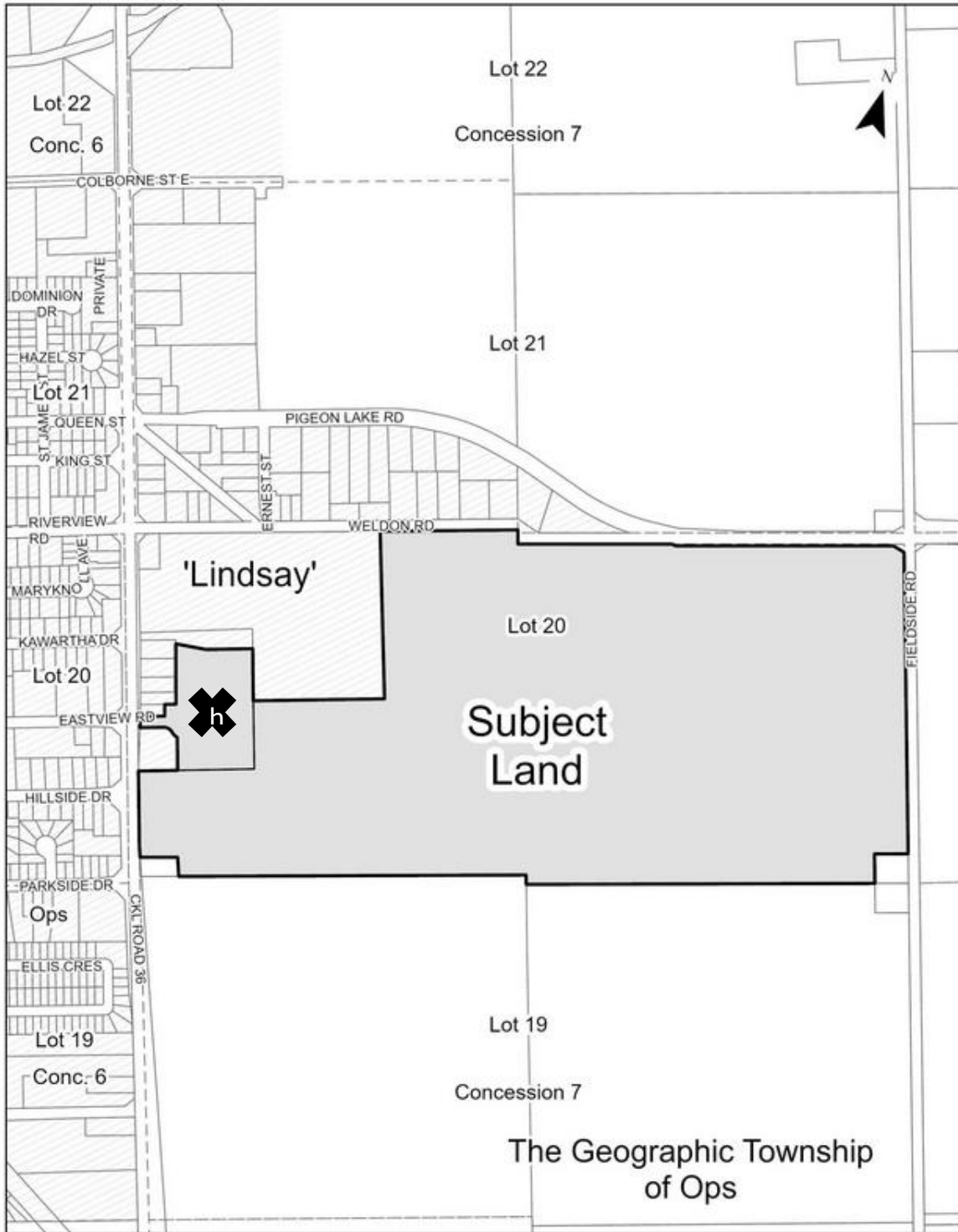
20241212 Redlined  
Draft Plan Conditions\_

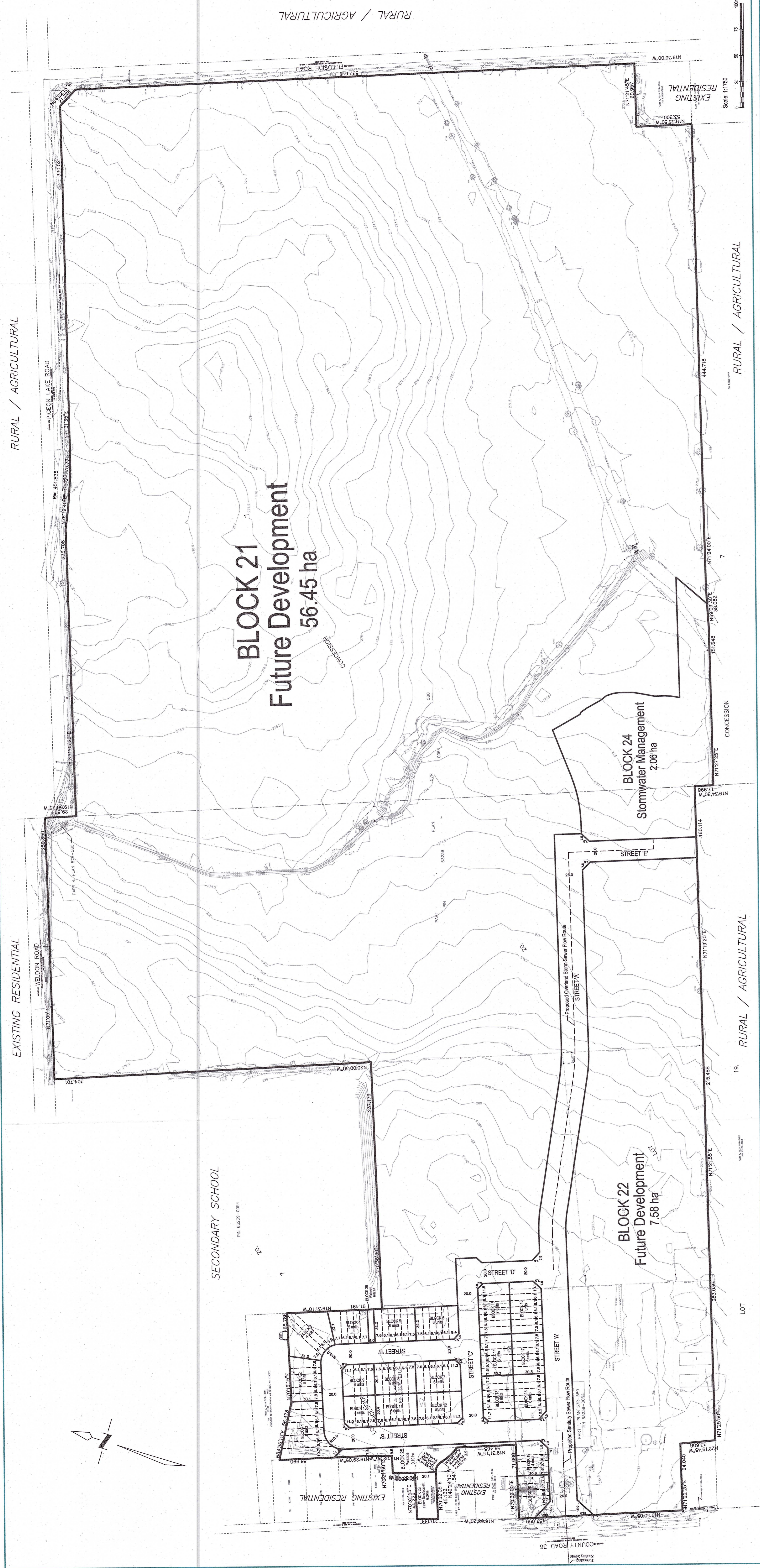
**Department Head email:** [lbarrie@kawarthalakes.ca](mailto:lbarrie@kawarthalakes.ca)

**Department Head:** Leah Barrie, Director of Development Services

**Department File:** D05-2022-003

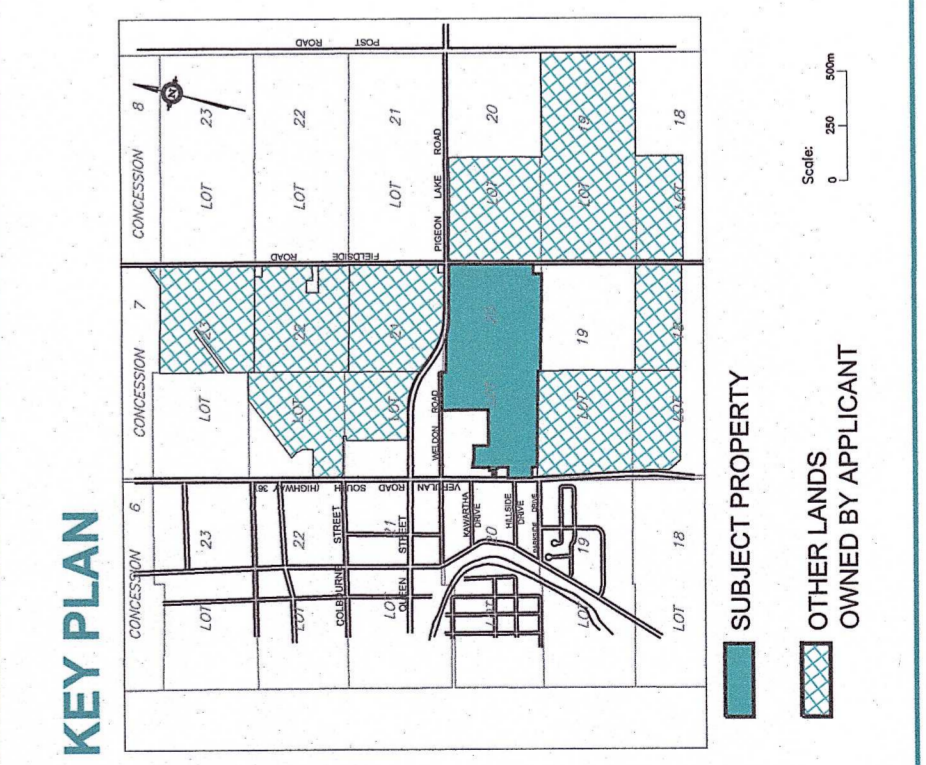
**Schedule 1 – Location Map**





# DRAFT PLAN OF SUBDIVISION

Part of Lot 20  
Concession 7  
(Geographic Township of OPS)  
City of Kawartha Lakes



**SCHEDULE OF LAND USE**

LOT/BLOCK	LAND USE	UNITS	AREA (ha)
1-20	6.7m Street Townhouses	113	2.59
21-23	Future Development		64.12
24	Stormwater Management		2.06
25	Parkette		0.19
26	Walkway		0.02
	Roads		3.23
<b>TOTAL</b>		<b>113</b>	<b>72.21</b>

**OWNER'S AUTHORIZATION**

I hereby authorize Malone Given Parsons Ltd. to prepare and submit this Draft Plan of Subdivision to the City of Kawartha Lakes.

*[Signature]*  
Flato Lindsay Community Inc.  
Date: March 23, 2023

**SURVEYOR'S CERTIFICATE**

I hereby certify that the boundaries of the lands to be subdivided as shown on this Plan and their relationship to the adjacent lands are accurately and correctly shown.

*[Signature]*  
Dan Dzaldow  
Schaeffer Dzaldow Purcell Ltd.  
TEL: (416) 897-0101  
Date: April 4, 2023

**ADDITIONAL INFORMATION**

AS REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT, CHAPTER P.13(R.S.O. 1990).

(a)(e),(f),(g),(j)-(l) - As shown of the Draft Plan.  
 (b),(c) - As shown on the Draft and Key Plan.  
 (d) - Land to be used in accordance with the Schedule of Land Use.  
 (i) - Soil is silt and clay loam.  
 (h),(k) - Full municipal services to be provided.

**Prepared For:**  
FLATO LINDSAY  
COMMUNITY INC.

RECEIVED  
NOV 21 2023  
City of Kawartha Lakes  
Planning Division

MGP File No: 21-2952  
Date: May 23, 2023

APPROVED UNDER SECTION 51 OF THE PLANNING ACT, R.S.O. 1990.

*[Signature]*  
Richard Hill  
Director of Development Services - Planning Division  
The Corporation of the City of Kawartha Lakes

Dated this 20th day of September, 2023

Flato Community Lindsay Inc.  
Draft Plan of Subdivision at Vacant Land on Kawartha Lakes Road 36, Ops  
16T-22503 (D05-2022-003)

## **Conditions of Draft Plan Approval – Draft Plan of Subdivision at Vacant Land on Kawartha Lakes Road 36, Ops**

### **GENERAL CONDITIONS**

1. This approval applies to the Draft Plan of Subdivision 16T-22503 prepared by Malone Given Parsons Ltd., Project No. 21-2952, dated May 23, 2023 (“Draft Plan”) which shows a total of 113 townhouse units, being Blocks 1 to 20 inclusive (2.59 ha); Blocks 21 to 23 inclusive for future development (64.12 ha); Block 24 for a stormwater management facility (2.06 ha); Block 25 for a parkette (0.19 ha); Block 26 as a pedestrian walkway block to the adjacent school property (0.02 ha) and 3.23 ha of new municipal local roads. This description shall be read in conjunction with the red-line revisions contained and described in Report PLAN2023-048 and as approved by Council on September 26, 2023.
2. Prior to the signing of the final plan by the Director, a Subdivision Agreement shall be entered into and executed by the Owner and the City to satisfy all financial, legal, and engineering matters, including the design, provision and installation of roads, services, sidewalks, on-street illumination, tree plantings, walkways, daylight triangles, road signs, traffic signals, stormwater management facilities and drainage works, and all recommendations contained in related technical reports approved by the City.
3. The Subdivision Agreement shall confirm the Owner agrees to convey to the City, at no cost, the land comprising the new public streets, day-lighting triangles, road widenings, as shown on the draft M-Plan. Such land to be free and clear of all liens and encumbrances. These lands shall be dedicated as public highways.
4. The streets shall be named to the satisfaction of the City.
5. Civic addressing shall be assigned based on lots being subdivided in the future, to the satisfaction of the City, and that the assignment of civic addresses be included in the Subdivision Agreement.
6. The Owner agrees, in writing, to the registration of the Subdivision Agreement against the land to which it applies once the plan of subdivision has been registered.
7. The schedule to the Subdivision Agreement entitled “Special Warnings and Notices” shall incorporate a notice advising of the existence of the City’s Noise By-law and warning that construction activities within the subdivision may be subject to regulation and/or restrictions thereunder.

Flato Community Lindsay Inc.  
Draft Plan of Subdivision at Vacant Land on Kawartha Lakes Road 36, Ops  
16T-22503 (D05-2022-003)

8. The Owner and the City shall agree in the Subdivision Agreement that:
  - a. no building permit will be issued for any individual lot or block until underground municipal services are installed and operational and the roadways servicing the individual lot or block are constructed to base asphalt condition.
  - b. All lots and blocks will be developed in accordance with the approved engineering design for the subdivision.
  - c. The building permit applicant for each such lot or block shall submit individual lot grading and drainage plans and receive approval from the City prior to the issuance of a building permit.
9. Prior to the signing of the final plan by the Director, the Planning Division shall confirm that the necessary Minister's Zoning Order, namely Ontario Regulation 771/21, as amended by O. Reg. 163/22, O. Reg. 490/22 and O. Reg. 54/23, to implement this plan has been approved and is in effect.
10. An Ontario Land Surveyor shall certify that the proposed lot frontages and areas appearing on the final plan conform to the requirements of requirements of Ontario Regulation 771/21, as amended by O. Reg. 163/22, O. Reg. 490/22 and O. Reg. 54/23.
11. The Owner shall follow the recommendations contained in the Environmental Noise Assessment prepared by Valcoustics Canada Ltd. and dated June 2, 2022. The Owner shall pay for all costs, as well as peer review costs, associated with updating of the Environmental Noise Assessment, as required, and to the satisfaction of the City.
12. The Owner agrees that the City, pursuant to Section 51.1 of the Planning Act, requires 5% conveyance of parkland for the townhouse dwelling units. The Owner agrees to provide the parkland dedication as cash-in-lieu of parkland. For the purpose of determining the amount of any such payment, the value of the land shall be determined as the day before the most recent extension pursuant to subsection 51(33) of the Planning Act, to the approval of the draft plan of subdivision. The City is not required to accept the appraisal report and reserves the right to have the appraisal report peer reviewed and negotiate the cash-in-lieu payment.
13. Prior to the signing of the final plan by the Director, the Owner will ensure that clearance letters from the appropriate authorities have been submitted to the Planning Division so as to confirm how the above noted conditions have been satisfied.

Flato Community Lindsay Inc.  
Draft Plan of Subdivision at Vacant Land on Kawartha Lakes Road 36, Ops  
16T-22503 (D05-2022-003)

## **ENGINEERING AND CORPORATE ASSETS – GENERAL**

14. The Subdivision Agreement for each phase of the subdivision shall confirm the Owner has paid 75% of the Development Application Approval Processing (DAAP) fee as per By-Law 2007-132, as amended, upon the submission of the first detailed engineering design, and agrees to pay the remaining 25% prior to entering into the Subdivision Agreement based on the final approved cost estimate. The cost estimate will make up Schedule 'D' of the Subdivision agreement, which shall be included in the first engineering submission.
15. The Owner and the City shall agree in the Subdivision Agreement that:
  - a. No building permit will be requested for any individual lot or block until underground municipal services are installed and operational and the roadway is constructed to base asphalt condition.
  - b. All lots and blocks will be developed in accordance with the approved engineering design for the subdivision.
  - c. The building permit applicant for each such lot or block shall submit individual lot grading and drainage plans and receive approval from the City prior to the issuance of a building permit.
16. The Subdivision Agreement for each phase shall confirm the Owner agrees to submit to the City, prior to commencing the installation of services, a Construction Management Plan to regulate the routing of construction traffic through an access provided to the development from **Verulam Road (CKL Highway 36), at Street A**, an Erosion and Sediment Control Plan for all phases of the development, to the satisfaction of the City and in compliance with the City's current standard requirements. Measures to minimize construction debris on the roads as well as road cleaning at the Owner's expense will be included in the Subdivision Agreement. The Subdivision Agreement for each phase shall specify that the Construction Management Plan will be in force until assumption.
17. The Owner shall provide for City approval, a blasting report in compliance with OPSS.MUNI 120 by a qualified Professional Engineer outlining any area subject to any blasting or rock excavation by explosives for the construction of the proposed infrastructure as well as, blasting techniques being employed. The report shall provide any necessary mitigation measures to ensure that adjacent wells and septic systems are not negatively impacted. The City reserves the right to have the blasting report peer reviewed by a qualified expert at the applicant's expense.

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- a. The owner shall employ a qualified blasting contractor prior to the commencement of any blasting activity on the subject lands.
  - b. Prior to the commencement of blasting activities on the subject lands, the owner shall provide written notice both to the City and all property owners within 200 metres of the development area.
18. The Owner shall agree that prior to entering into a Subdivision Agreement with the City, the Owner has fulfilled all obligations to the City required under a Pre-Servicing Agreement as applicable, and as per the City of Kawartha Lakes Council Policy CP2018-009, as amended.
  19. The Subdivision Agreement shall confirm the Owner agrees, prior to offering any Blocks, Lots, dwellings, for sale, to display a map on the wall of the sales office and electronically available in a place readily accessible to potential homeowners that indicates the location of surface infrastructure and streetscaping within the development. In addition, the Owner agrees to have the Schedule "A" subdivision agreement engineering drawings available for review by all potential homeowners.
  20. The Subdivision Agreement shall include reference to a Legal and Topographic survey for each phase, current to the existing conditions. The survey shall ensure the detailed design maintains and incorporates all boundary conditions. The existing grading shall remain undisturbed and vegetated for a minimum of 0.3 metres within the subdivision property limit.
  21. The Subdivision Agreement shall confirm the Owner agrees to convey to the City, at no cost, the following lands through Phase 1:
    - Block 24 – Stormwater Management Facility
    - Block 25 – Parkette Block (Not required by the City for parkland purposes and to be amalgamated in with Block 23 - Future Development Block and red-lined 6.0 metre wide Municipal Servicing Block)
    - Block 26 – Walkway Block
    - Block for Water Servicing Block as red-lined on Appendix D to Report PLAN2023-048
    - Site Triangles as red-lined on Appendix D to Report PLAN2023-048

Such land is to be free and clear of all encumbrances.

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22. The Subdivision Agreement shall confirm that a construction phasing plan and anticipated timeline shall be submitted to the City at each detailed design phase and provide for suitable road and infrastructure connectivity.
23. The Subdivision Agreement shall confirm the Owner agrees that any existing agricultural tile drainage network and all outlets shall be decommissioned at the Owner's expense.

### **ENGINEERING AND CORPORATE ASSETS – NEW AND EXPANDED PUBLIC ROADS AND TRAFFIC**

24. The Subdivision Agreement shall confirm the Owner agrees to convey to the City, at no cost, the land comprising the new public streets, sight triangles, road widenings, as shown on the draft plan for each phase in Schedule 'B' of the Subdivision Agreement. Such land to be free and clear of all encumbrances. These lands shall be dedicated as public highways.
25. The Subdivision Agreement shall confirm that the Owner agrees to design and construct, entirely at the Owner's expense, the roadways, sidewalks, and all municipal services for the proposed subdivision in compliance or conformance with all current provincial and municipal guidelines and standards.
26. The Subdivision Agreement shall confirm that the Owner agrees to design and construct, entirely at their expense, "Street A", east of "Street D" as a temporary access road and stormwater conveyance, to Block 24 Stormwater Management Facility. The road shall be temporary until the next Phase of development, and shall be maintained by the Owner to ensure access is maintained at all times. The road shall be constructed as required by the engineering design and to the satisfaction of the City, with a minimum 4 metre wide granular road base, ensure adequate stormwater conveyance and include a Temporary Turning Basin at Block 24.
27. The Subdivision Agreement shall confirm that the Owner shall provide for the detailed design for each Phase, recommendations and engineering design for internal traffic and transportation improvements, including traffic calming measures, traffic signage, controlled intersections, pedestrian crossings, signalization, etc., completed by a traffic engineer. The Owner agrees to design and construct, entirely at the Owner's expense.
28. The Subdivision Agreement for each phase shall confirm that the Owner has provided an overall traffic lane marking and signage plan, to the City's satisfaction, including any external improvements required and to be identified through the detailed engineering design. The installation of pavement markings and signage,

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as well as any required modifications to existing pavement markings and signage, shall be at the Owner's expense, included in the cost estimate, Schedule "D" for each phase specific to the detailed engineering design of the subdivision to current municipal standards and to the satisfaction of the City.

29. The Subdivision Agreement for each phase shall confirm that the Owner has provided a composite utility plan which will outline the proposed location of all of the utilities proposed within the subdivision and any external utility works required to facilitate the connectivity of the proposed subdivision to existing utilities. Each utility will provide approval of the same composite utility plan for submission with the plan.
30. The Subdivision Agreement for each phase shall confirm that the Owner has provided a comprehensive streetscaping plan showing all above-ground utilities, streetlights, street furniture, street tree planting, and/or boulevard landscaping, specific to the detailed engineering design of the subdivision to current municipal standards and to the satisfaction of the City.
31. The Subdivision Agreement for each phase shall include provisions concerning the precise location of required fencing, commercial grade black vinyl chain link and/or acoustical fencing, specifically to delineate all future and existing City owned blocks from private property. The detailed engineering design of each phase of the subdivision will be to the satisfaction of the City.
32. Prior to final approval, the Owner shall submit a revised Traffic Impact Study to the satisfaction of the City of Kawartha Lakes. The Traffic Impact Study shall include an assessment of the proposed road classification and routing design of Street A, an evaluation and recommendations for walkability and pedestrian access, and an assessment of the proposed sight triangle sizes including an assessment of TAC requirements (parameters related to speed, distance, road classification, etc.) to ensure appropriate sightlines and safety can be achieved for the proposed new connection at Street A and Verulam Road South.

### **ENGINEERING AND CORPORATE ASSETS – SITE SERVICING**

33. The Subdivision Agreement for each phase shall confirm that municipal water and sanitary servicing capacity is not guaranteed for the entire development. The Owner is required through the engineering design of each phase of development to confirm with the City that there is sufficient sanitary, domestic water and fire water supply and treatment in the municipal system.

The Subdivision Agreement of each phase shall provide for the installation of a piped water supply system, sanitary sewage collection system, storm collection

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system, and stormwater management system to the satisfaction of the City and all municipal by-laws and design criteria and furthermore, upon satisfactory final inspection, shall provide for the assumption of such systems by the City. The construction and conveyance of the municipal infrastructure shall be at the Owner's expense and responsibility.

34. The Subdivision Agreement for each phase shall confirm that the Owner agrees that all residential sanitary services shall drain by gravity and not use sump pumps and grinder pumps for sanitary drainage.
35. The Subdivision Agreement for each phase shall confirm that the Owner agrees that each of the approved lots will be connected to the City's municipal water system, sanitary systems, and storm systems to the satisfaction of the City.
36. The Subdivision Agreement for each phase shall confirm the Owner has obtained an approved Form 1 – Record of Watermains Authorized as a Future Alteration from the Director of Engineering and Corporate Assets for the water works in accordance with the Safe Water Drinking Act and the Environmental Protection Act or the current municipal and/or provincial approval mechanism.
37. The Subdivision Agreement for each phase shall confirm that the Owner has obtained an Environmental Compliance Approval (ECA) in accordance with the Ministry of the Environment, Conservation and Parks and City standards and guidelines for the municipal storm works in accordance with the Ontario Water Resources Act and the Environmental Protection Act or the current municipal and/or provincial approval mechanism. The Subdivision Agreement shall reference the applicable ECA number(s).

#### **ENGINEERING AND CORPORATE ASSETS – STORMWATER MANAGEMENT**

38. The Subdivision Agreement shall confirm that a report in accordance with Section 65 of the Drainage Act, respecting the proposed subdivision development and increase in drainage area to the Ops 21-74 Municipal Drain has been completed by the City's appointed drainage engineer, at the Owner's expense. The report shall be completed to the satisfaction of the City, and the drainage assessment shall be re-apportioned, prior to earthworks.
39. The Subdivision Agreement for each phase shall confirm that the City has received a stormwater management report for quantity and quality control, water balance and phosphorus control, prepared by a qualified Professional Engineer in accordance with the applicable standards and guidelines to the satisfaction of the Kawartha Region Conservation Authority and the City. The report shall identify Detailed Design opportunities for City Approved Low Impact Development

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- solutions applicable to the site specific conditions. The report shall confirm on-site infiltration rates and stormwater management facility sizing requirements based on a comprehensive and field-verified review of the associated drainage area.
40. The Subdivision Agreement for each phase, as applicable, shall confirm that the Owner has submitted a Stormwater Management Facility Operations, Maintenance, Monitoring and Assumption Report, for the use of the Stormwater Management Facilities, including Low Impact Development, throughout the phases and stages of development of the subdivision until final assumption of the facility by the City of Kawartha Lakes.
  41. The Subdivision Agreement for each phase shall confirm that all Stormwater Management facilities have been sized to accommodate all City of Kawartha Lakes, Kawartha Region Conservation Authority, and Ministry of the Environment, Conservation and Parks (MECP) design elements/features in accordance with their standards and design criteria. At the time of detailed engineering design, should review of the Stormwater Management facility design show that the block has been undersized, the Subdivider shall revise the plan to increase the block size accordingly.
  42. The Subdivision Agreement for each phase shall confirm that all Stormwater Quality and Quantity objectives are being met on future municipal owned property, and wording will be added to the agreement that all commercial and institutional blocks will be required to provide independent quality and quantity controls, in compliance with all provincial and municipal guidelines and standards.
  43. The Subdivision Agreement for each phase shall confirm that the Owner has submitted an erosion and sediment control plan detailing the measures that will be implemented before, during and after construction to minimize soil erosion and sedimentation prepared to the satisfaction of the Kawartha Region Conservation Authority and the City. The plan shall contain a proactive targeted multi-barrier approach with emphasis on erosion control. Stripping topsoil and earth works must consider a phased approach, and any stripped lands within future phases must be stabilized.
  44. The Subdivision Agreement for each phase shall confirm that the Owner has submitted a phosphorus assessment identifying pre-development loadings, anticipated post-development loadings, and opportunities for phosphorus reduction (e.g. best management practices for stormwater management). This assessment will be undertaken in accordance with the provisions of Policy 2 of the Provincial Water Quality Objectives.

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45. The Subdivision Agreement for each phase shall confirm that the Owner shall submit a landscaping/planting plan for the stormwater management pond prepared to the satisfaction of the City, in compliance with all provincial and municipal guidelines and standards.
46. That, the Subdivision Agreement for each phase shall contain, among other matters, the following provisions:
  - a. That, the Owner agrees to carry out the recommendations of the approved stormwater management report and the approved erosion and sediment control plan. The Agreement shall contain a reference to the plans and reports approved by the Kawartha Region Conservation Authority and the City.
  - b. That, the Owner agrees to implement all erosion and sediment control structures in a functional manner prior to the site disturbance and maintain these structures operating in good repair during and after the construction period, until such time as all disturbed soil surfaces have become stabilized and/or revegetated.
  - c. That, the Owner agrees that the City will not be responsible for maintenance and operation of rear lot catch basins on private property.
  - d. That, the Owner agrees that as-constructed testing, confirmation and engineering certification of stormwater infiltration rates is required as part of the assumption submission, to the satisfaction of the City.
47. The Subdivision Agreement for each phase shall include a clause indicating that prior to assumption, all water quality devices (such as stormwater management ponds, OGS, filter devices etc.) shall be cleaned out to the satisfaction of the City

#### **FINANCE DEPARTMENT**

48. That subsequent to the execution of the Subdivision Agreement by the Owner and prior to the signing of the final plan by the Director, the City Treasurer shall confirm in writing to the Director that all financial obligations and payments to the City, as set out in the Subdivision Agreement, have been satisfied including, but not limited to:
  - a. All applicable Development Charge payments in accordance with the requirements of all applicable Development Charge By-laws,
  - b. All applicable Capital Charge payments in accordance with the requirements of all applicable Capital Charge By-laws,

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- c. All applicable Local Improvement payments in accordance with the requirements of all applicable Local Improvement By-laws,
- d. All applicable fees payable in accordance with the requirements of all applicable municipal by-laws, including fee by-laws,
- e. The form and amount of the securities that the Owner is required to have posted to secure its obligations under the Subdivision Agreement, including the identification of any reduction in such securities that has already been incorporated into the Subdivision Agreement,
- f. Where there has been such a reduction in such securities, a Statutory Declaration submitted on behalf of the Owner confirming payment of all accounts for material, labour and equipment employed in the installation of the services on whose completion such reduction has been computed and applied, and
- g. Any financial obligations with which the Owner's compliance has been deferred or from which the Owner has been exempted pursuant to the terms of the Subdivision Agreement.

#### **FIRE DEPARTMENT**

- 49. The requirements to be addressed in the Subdivision Agreement shall include fire breaks between structures under construction, and the disposal of construction material.

#### **KAWARTHA CONSERVATION**

- 50. Prior to final approval and any on-site grading taking place, the Owner shall provide a floodplain analysis to the satisfaction of the City and Kawartha Region Conservation Authority to ensure that development is not within the floodplain.
- 51. Prior to final approval, the Owner shall submit an updated Hydrogeological Report and water balance analysis and a stormwater management report for quantity control, prepared by a qualified Professional Engineer in accordance with the applicable standards and guidelines to the satisfaction of the Kawartha Region Conservation Authority and the City. The stormwater management report shall identify opportunities for Low Impact Development solutions applicable to the site-specific condition.
- 52. Prior to final approval and any grading taking place, the Owner shall submit an erosion and sediment control plan detailing the measures that will be implemented before, during and after construction to minimize soil erosion and sedimentation prepared to the satisfaction of the Kawartha Region Conservation Authority and the City. The plan shall contain a proactive targeted multi-barrier approach with

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emphasis on erosion control and identify the location and function of temporary sediment ponds/basins during construction and the impact of this particular development on the overall drainage area and centralized stormwater management pond.

53. That the Subdivision Agreement shall contain, among other matters, the following provisions:
  - a. That the Owner agrees to carry out the recommendations of the approved stormwater management report and the approved erosion and sediment control plan. The Agreement shall contain a reference to the plans and reports approved by the Kawartha Region Conservation Authority and the City.
  - b. That the Owner agrees to implement all erosion and sediment control structures in a functional manner prior to the site disturbance and maintain these structures operating in good repair during and after the construction period, until such time as all disturbed soil surfaces have become stabilized and/or revegetated.
54. That, prior to public ROW construction, or final approval of the Plan, the Owner shall provide a detailed design submission of the final Stormwater Management report prepared by a qualified Professional Engineer in accordance with the applicable standards and guidelines to the satisfaction of the Kawartha Region Conservation Authority.
55. That, prior to any site alteration, construction, or final approval of the Plan, the Owner shall provide a Final Grading Plan prepared by a qualified professional to the satisfaction of the Kawartha Region Conservation Authority.
56. That, prior to any site alteration, construction, or final approval of the Plan, the Owner shall provide a Final Sediment and Erosion Control Plan prepared by a qualified professional to the satisfaction of the Kawartha Region Conservation Authority. The Plan should detail the measures that will be implemented before, during, and after construction to minimize soil erosion and sedimentation; Note: Kawartha Conservation supports a proactive multi-barrier approach to erosion and sediment control, with emphasis on erosion control rather than solely relying on sediment control measures (e.g., silt fence).
57. That, the Subdivision Agreement contain the following provisions:
  - a) That, the Owner agrees to carry out the recommendations of the approved Stormwater Management report, the approved Grading Plan and the

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approved Sediment and Erosion Control Plan. Note: The Agreement shall contain a reference to the plans and reports approved by Kawartha Conservation.

- b) That, the Owner agrees to install all sediment and erosion control structures in a functional manner prior to the site disturbance, maintain these structures operating in good repair during and after the construction period, and continue to implement all sediment and erosion control measures until such time as the disturbed soil surfaces have become stabilized and/or revegetated.
- c) That, the Owner agrees to apply to Kawartha Region Conservation Authority separately for individual Permits for any dwelling units which are situated within Kawartha Conservation's regulated area.

## **SCHOOL BOARDS**

- 58. The following provisions shall apply equally to the Trillium Lakelands District School Board (TLDSB) and the Peterborough Victoria Northumberland and Clarington Catholic District School Board (PVNCCDSB).
  - a. All Subdivision Agreements for the subject draft plan between the City and the Owner contain a requirement that all Purchase and Sale Agreements for all phases of the approved draft plan contain a clause advising all potential purchasers that all Elementary and Secondary pupils will be accommodated at existing School(s) as no Elementary or Secondary School site is proposed within the approved draft plan.

## **BELL CANADA**

- 59. The Owner shall make satisfactory arrangements, financial and otherwise, with Bell Canada for any Bell underground facilities serving the subdivision.
- 60. The Owner agrees that if there are any conflicts with existing Bell Canada facilities or easements, the Owner/Owner shall be responsible for rearrangements or relocation.
- 61. The Owner shall agree in the Subdivision Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services at no cost to Bell Canada. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the Owner/Owner shall be responsible for the relocation of such facilities or easements.

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62. The Owner is hereby advised that prior to commencing any work within the Plan, the Owner must confirm that sufficient wire-line communication / telecommunication infrastructure is currently available within the proposed development to provide communication/ telecommunication service to the proposed development. In the event that such infrastructure is not available, the Owner is hereby advised that the Owner may be required to pay for the connection to and/or extension of the existing communication/ telecommunication infrastructure. If the Owner elects not to pay for such connection to and/or extension of the existing communication/ telecommunication infrastructure, the Owner shall be required to demonstrate to the municipality that sufficient alternative communication / telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication / telecommunication services for emergency management services (i.e., 911 Emergency Services).
63. The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.
64. The Owner agrees to provide Bell Canada with servicing plans/CUP to [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) to confirm the provision of communication/telecommunication infrastructure needed to service the development.
65. The Owner agrees that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure. If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

**ROGERS INC.**

66. Satisfactory arrangements, financial and otherwise, shall be made with Rogers Inc. for any underground facilities serving the subdivision.
67. The Owner agrees in the Subdivision Agreement with the City to grant Rogers Inc. any easements that may be required.
68. If there are any conflicts with existing Rogers Inc. facilities or easements, the Owner/Owner shall be responsible for rearrangements or relocation.

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## **CANADA POST**

69. The Owner will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The Owner will then indicate these locations on the Composite Utility and Streetscaping Plans submitted to the City's Engineering and Corporate Assets Department.
70. The Owner agrees in the Subdivision Agreement, prior to offering any Blocks, Lots, dwellings, commercial units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post. In addition, the Owner agrees to have Schedule "A" the approved Engineering drawings of the Subdivision Agreement available for review by all potential homeowners.
71. The Owner agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The Owner also agrees to note the locations of all Community Mail Boxes within the development /subdivision, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.
72. The Owner will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading is completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the dwellings / units are occupied.
73. The Owner agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
  - a. Any required walkway across the boulevard, per municipal standards; and
  - b. Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications).

## **COGECO**

74. Satisfactory arrangements, financial and otherwise, shall be made with Cogeco Connexion Inc. for any Cogeco underground facilities serving the subdivision.
75. The Owner agrees in the Subdivision Agreement with the City to grant Cogeco Connexion Inc. any easements that may be required.
76. If there are any conflicts with existing Cogeco Connexion Inc.'s facilities or easements, the Owner/Owner shall be responsible for rearrangements or relocation.

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### **NEXICOM**

77. Satisfactory arrangements, financial and otherwise, shall be made with Nexicom for any Nexicom underground facilities serving the subdivision.
78. The Owner agrees in the Subdivision Agreement with the City to grant Nexicom any easements that may be required.
79. If there are any conflicts with existing Nexicom's facilities or easements, the Owner/Owner shall be responsible for rearrangements or relocation.

### **ENBRIDGE**

80. The Owner agrees that the Subdivision Agreement contain a provision to ensure that the Owner grade all boulevards to final pre-soil subgrade elevation prior to the installation of the gas lines, and provide the necessary field survey information required for the installation of the gas lines, all to the satisfaction of Enbridge Gas Inc. if required.
81. The Owner agrees in the Subdivision Agreement with the City to grant Enbridge Gas Inc. any easements that may be required.

### **HYDRO ONE**

82. The Owner agrees that prior to the signing of the final plan by the Director, the Owner shall satisfy all requirements, financial and otherwise, of the Hydro One Networks Inc.
83. The Owner agrees to enter into a Subdivision Servicing Agreement for Electrical Servicing with Hydro One Networks Inc. This Servicing Agreement will specify all the terms, conditions, and financial obligations to facilitate the extension of electrical servicing to these lands. Hydro One may as part of its Electrical System Servicing Agreement, require a type of Development Charge or Systems Capital Contribution Fee towards the provision of system(s) capacities expansion outside of the development but necessary to ensure the integrity of the Company's Power distribution grid.

### **CLEARANCES**

84. Prior to the signing of the final plan by the Director, the Planning Division shall confirm that Conditions 1 to 11 and 13 have been satisfied.
85. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Community Services Department indicating how Condition 12 has been satisfied.

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86. Prior to the signing of the final plan by the Director, Owner shall provide to the Planning Division a clearance letter from the Engineering and Corporate Assets Department shall confirm that Conditions 14-47 have been satisfied.
87. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Taxation and Revenue Division indicating how Condition 48 has been satisfied.
88. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Fire Department indicating how Condition 49 has been satisfied.
89. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Kawartha Conservation Authority indicating how Conditions 50-57 have been satisfied.
90. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the applicable school boards indicating how Condition 58 has been satisfied.
91. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from Bell Canada indicating how Conditions 59-65 have been satisfied.
92. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from Rogers Inc. indicating how Conditions 66-68 have been satisfied.
93. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Canada Post Corporation indicating how Conditions 69-73 have been satisfied.
94. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Cogeco Cable Solutions indicating how Conditions 74-76 have been satisfied.
95. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Nexicom indicating how Conditions 77-79 have been satisfied
96. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from Enbridge Consumer Gas indicating how Conditions 80-81 have been satisfied.

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97. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from Hydro One Networks Inc. indicating how Conditions 82-83 have been satisfied.

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98.

## **Part B – Lapsing Provision**

All conditions shall be fulfilled and satisfied, and final approval shall be given or this draft plan approval shall be deemed to have lapsed pursuant to the Planning Act, R.S.O. 1990, as amended, after three (3) years from the date the Notice of Decision is sent out with respect to this draft approval.

Extensions to draft approval may be considered provided that existing technical reports remain applicable or updates are provided and the provisions of By-law 2016-065, as amended are met.

Any request for Draft Plan Approval extension shall include the City's required update to the draft plan including any supporting documentation to ensure compliance or conformance with all current provincial and municipal guidelines and standards. Designs and reports shall be updated by the Owner as required, to the satisfaction of the City.

### **Notes to Draft Plan Approval of 16T-22503 (D05-2022-003)**

#### **1. Clearance Letters**

It is the Owner/applicant's responsibility to fulfill the conditions of draft approval and to ensure that the required clearance letters have been forwarded by the appropriate agencies / utility companies to the City of Kawartha Lakes to the attention of the Director of Development Services quoting the above noted file. For your information the following are the contacts:

Juan Rojas, Director  
Engineering and Corporate Assets  
Department  
City of Kawartha Lakes  
322 Kent Street West  
Lindsay, ON K9V 5R8  
Tel: 705.324.9411 ext. 1151  
Fax: 705. 328.3122

Craig Shanks, Director  
Community Services Department  
City of Kawartha Lakes  
50 Wolfe Street,  
Lindsay, ON K9V 2J2  
Tel: 705.324.9411 ext. 1307  
Fax: 705.324.2051

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Bryan Robinson, Director  
Public Works Department  
City of Kawartha Lakes  
322 Kent Street West  
Lindsay, ON K9V 5R8  
Tel: 705.324.9411 ext. 1143  
Fax: 705.328.3122

Terry Jones, Fire Chief  
Emergency Services Department  
Kawartha Lakes Fire Rescue  
9 Cambridge Street North  
Lindsay, ON K9V 4C4  
Tel: 705.324.5731  
Fax: 705.878.3463

Richard Holy, Director  
Development Services Department  
City of Kawartha Lakes  
180 Kent Street West, 2<sup>nd</sup> Floor  
Lindsay, ON K9V 2Y6  
Tel: 705.324.9411 ext. 1246  
Fax: 705.324.4027

Matthew Mantle, Director of  
Planning, Development and  
Engineering  
Kawartha Conservation  
277 Kenrei Road,  
Lindsay, ON K9V 4R1  
Tel: 705.328-2271  
Fax: 705.328-2286

Bell Canada  
Right of Way Control Centre  
100 Borough Drive, Floor 5  
Scarborough, ON M1P 4W2

Hydro One Networks Inc.  
45 Sarjeant Drive,  
Barrie, ON L4M 5N5

David Cayer  
Delivery Services Officer  
Canada Post Corporation  
P.O. Box 8037, Ottawa T CSC  
Ottawa, ON K1G 3H6

Enbridge Gas Inc.  
500 Consumers Road  
North York, ON M2J 1P8

Kayla Cardiff  
Rogers Communications  
855 York Mills Road  
Toronto, ON  
M3B 1Z1

Bruce Buchanan, Manager,  
Network Operations  
Nexicom Inc.  
5 King Street East  
Millbrook ON L0A 1G0

Drew Lawrence  
Network Delivery Coordinator  
Cogeco Cable  
1111 Goodfellow Road  
Peterborough ON  
K9J 7X1

## 2. Conveyances and 0.3 m. Reserves

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If land is to be conveyed to the City we suggest that the description of such parcels shall be by reference to either the Lot or Block on the Registered Plan or by Part on a Reference Plan of survey.

We further require the Owner give to the City an undertaking to deposit with the Clerk a properly executed copy of the conveyance concurrent with the registration of the final plan, as signed by the Director.

If a 0.3 m. reserve is required along the side of either an existing or proposed road allowance, the 0.3 m. reserve shall be placed inside the public road allowance – eg. the final public road allowance would be 20.3 m. and be comprised of two (2) parts, the 20.0 m. wide road allowance and the 0.3 m. reserve. The latter would be deeded to the City in trust.

### **3. Lands Required to be Registered under Land Titles Act**

We suggest that you make yourself aware of section 144 of the Land Titles Act and subsection 78(10) of the Registry Act. Subsection 144(1) of the Land Titles Act requires that a plan of subdivision of land that is located in a land titles division be registered under the Land Titles Act. Exceptions to this provision are set out in subsection 144(2). Subsection 78(10) of the Registry Act requires that a plan of subdivision of land that is located only in a registry division cannot be registered under the Registry Act unless that title of the Owner of the land has been certified under the Certification of Titles Act. Exceptions to this provision are set out in clauses (b) and (c) of subsection 78(10).

### **4. Sewage Works**

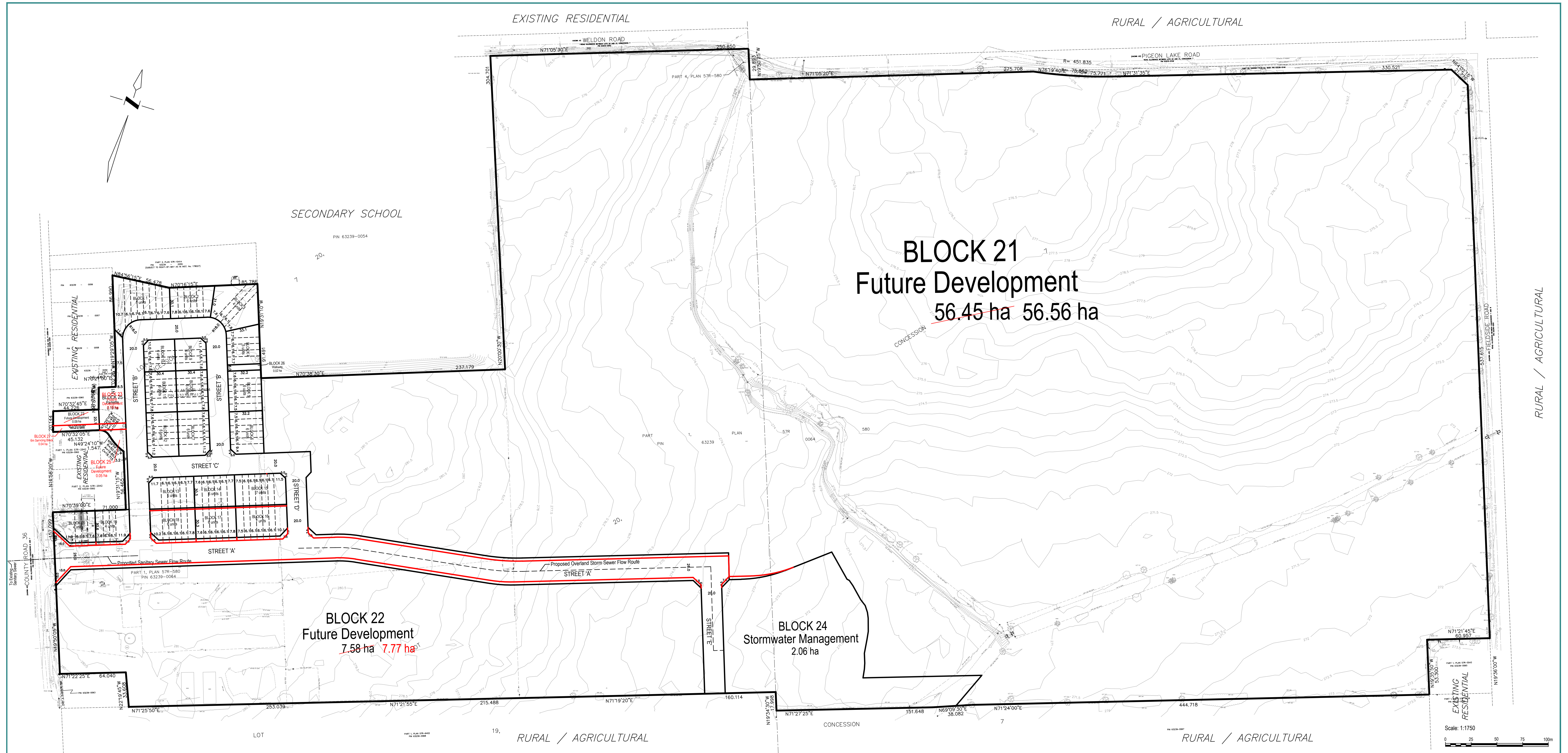
Approvals for sewage works are required under the Ontario Water Resources Act, R.S.O., 1990 as amended and the Environmental Protection Act, R.S.O., 1990 as amended.

### **5. Water Works**

Water works shall meet the requirements of, and be approved by, the City of Kawartha Lakes Public Works Water and Waste Water Division, in accordance with the Safe Water Drinking Act, S.O. 2002 as amended and the Environmental Protection Act, R.S.O. 1990 as amended.

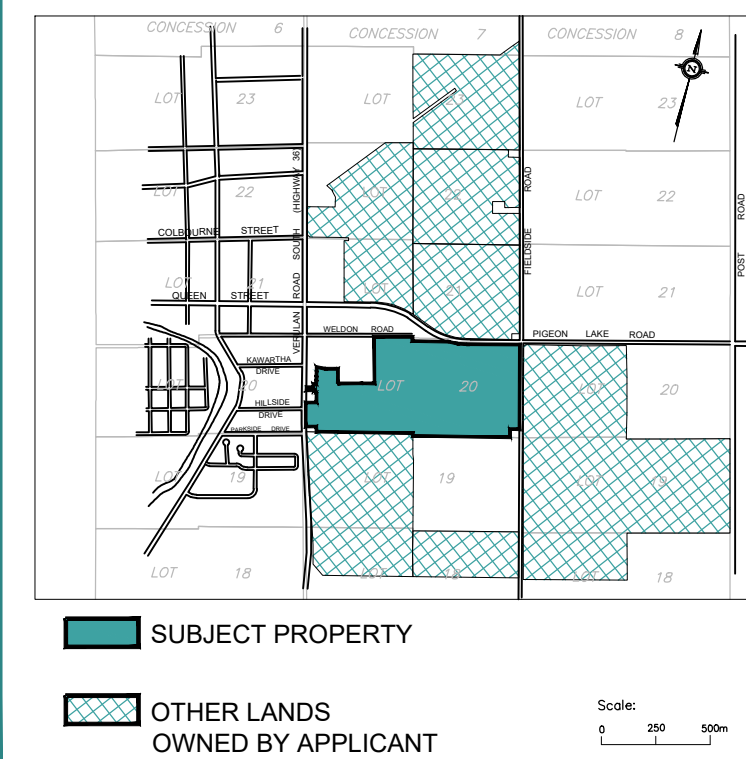
### **6. Clearance of Conditions**

A copy of the Subdivision Agreement should be sent to public bodies with conditions covered under the Agreement. This will expedite clearance of the final plan. Please do not send a copy to the Ministry of Municipal Affairs.



**DRAFT PLAN OF SUBDIVISION**  
**16T-22503**  
 Part of Lot 20  
 Concession 7  
 (Geographic Township of OPS)  
 City of Kawartha Lakes

**KEY PLAN**



**SCHEDULE OF LAND USE**

LOT/BLOCK	LAND USE	UNITS	AREA (ha)
1-20	6.1m Street Townhouses	113	2.99 2.85
21-23 & 25	Future Development		64.12 64.57
24	Stormwater Management		2.06
25-27	Parkette 6m Servicing Block		0.19 0.04
26	Walkway		0.02
	Roads		3.23 2.87
<b>TOTAL</b>		<b>113</b>	<b>72.21</b>

**OWNER'S AUTHORIZATION**

I hereby authorize Malone Given Parsons Ltd. to prepare and submit this Draft Plan of Subdivision to the City of Kawartha Lakes.

  
 Dan Dzaldov  
 Schaeffer Dzaldov Purcell Ltd.  
 TEL: (416) 987-0101  
 Date: March 23, 2023

**SURVEYOR'S CERTIFICATE**

I hereby certify that the boundaries of the lands to be subdivided as shown on this Plan and their relationship to the adjacent lands are accurately and correctly shown.

  
 Dan Dzaldov  
 Schaeffer Dzaldov Purcell Ltd.  
 TEL: (416) 987-0101  
 Date: April 4, 2023

**ADDITIONAL INFORMATION**

- AS REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT, CHAPTER P.13(R.S.O. 1990).
- (a),(e),(f),(g),(j),(l) - As shown of the Draft Plan.
  - (b),(c) - As shown on the Draft and Key Plan.
  - (d) - Land to be used in accordance with the Schedule of Land Use.
  - (i) - Soil is silt and clay loam.
  - (h),(k) - Full municipal services to be provided.

**Prepared For:**  
**FLATO LINDSAY COMMUNITY INC.**

MGP File No.: 21-2952  
 Date: May 23, 2023 Sept 20, 2024

Date	Revision	By



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## Conditions of Draft Plan Approval – Draft Plan of Subdivision at Vacant Land on Kawartha Lakes Road 36, Ops

### GENERAL CONDITIONS

1. This approval applies to the Draft Plan of Subdivision 16T-22503 prepared by Malone Given Parsons Ltd., Project No. 21-2952, dated ~~May 23, 2023~~ September 20, 2024 (“Draft Plan”) which shows a total of 113 townhouse units, being Blocks 1 to 20 inclusive (2.~~6559~~ ha); Blocks 21 to 23 and 25 inclusive for future development (64.~~5742~~ ha); Block 24 for a stormwater management facility (2.06 ha); ~~Block 25 for a parkette (0.19 ha)~~; Block 26 as a pedestrian walkway block to the adjacent school property (0.02 ha); Block 27 as a 6m Servicing block (0.04 ha) and ~~2.873-23~~ ha of new municipal local roads. This description shall be read in conjunction with the red-line revisions ~~contained and described in Report PLAN2023-048 and as approved by Council on September 26, 2023~~ shown on the redlined Draft Plan of Subdivision dated September 20, 2024.
2. Prior to the signing of the final plan by the Director, a Subdivision Agreement shall be entered into and executed by the Owner and the City to satisfy all financial, legal, and engineering matters, including the design, provision and installation of roads, services, sidewalks, on-street illumination, tree plantings, walkways, daylight triangles, road signs, traffic signals, stormwater management facilities and drainage works, and all recommendations contained in related technical reports approved by the City.
3. The Subdivision Agreement shall confirm the Owner agrees to convey to the City, at no cost, the land comprising the new public streets, day-lighting triangles, road widenings, as shown on the draft M-Plan. Such land to be free and clear of all liens and encumbrances. These lands shall be dedicated as public highways.
4. The streets shall be named to the satisfaction of the City.
5. Civic addressing shall be assigned based on lots being subdivided in the future, to the satisfaction of the City, and that the assignment of civic addresses be included in the Subdivision Agreement.
6. The Owner agrees, in writing, to the registration of the Subdivision Agreement against the land to which it applies once the plan of subdivision has been registered.
7. The schedule to the Subdivision Agreement entitled “Special Warnings and Notices” shall incorporate a notice advising of the existence of the City’s Noise By-law and warning that construction activities within the subdivision may be subject

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to regulation and/or restrictions thereunder.

8. The Owner and the City shall agree in the Subdivision Agreement that:
  - a. no building permit will be issued for any individual lot or block until underground municipal services are installed and operational and the roadways servicing the individual lot or block are constructed to base asphalt condition.
  - b. All lots and blocks will be developed in accordance with the approved engineering design for the subdivision.
  - c. The building permit applicant for each such lot or block shall submit individual lot grading and drainage plans and receive approval from the City prior to the issuance of a building permit.
9. Prior to the signing of the final plan by the Director, the Planning Division shall confirm that the necessary Minster's Zoning Order, namely Ontario Regulation 771/21, as amended by O. Reg. 163/22, O. Reg. 490/22 and O. Reg. 54/23, to implement this plan has been approved and is in effect.
10. An Ontario Land Surveyor shall certify that the proposed lot frontages and areas appearing on the final plan conform to the requirements of requirements of Ontario Regulation 771/21, as amended by O. Reg. 163/22, O. Reg. 490/22 and O. Reg. 54/23.
11. The Owner shall follow the recommendations contained in the Environmental Noise Assessment prepared by Valcoustics Canada Ltd. and dated June 2, 2022. The Owner shall pay for all costs, as well as peer review costs, associated with updating of the Environmental Noise Assessment, as required, and to the satisfaction of the City.
12. The Owner agrees that the City, pursuant to Section 51.1 of the Planning Act, requires 5% conveyance of parkland for the townhouse dwelling units. The Owner agrees to provide the parkland dedication as cash-in-lieu of parkland. For the purpose of determining the amount of any such payment, the value of the land shall be determined as the day before the most recent extension pursuant to subsection 51(33) of the Planning Act, to the approval of the draft plan of subdivision. The City is not required to accept the appraisal report and reserves the right to have the appraisal report peer reviewed and negotiate the cash-in-lieu payment.
13. Prior to the signing of the final plan by the Director, the Owner will ensure that clearance letters from the appropriate authorities have been submitted to the Planning Division so as to confirm how the above noted conditions have been satisfied.

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## ENGINEERING AND CORPORATE ASSETS – GENERAL

14. The Subdivision Agreement for each phase of the subdivision shall confirm the Owner has paid 75% of the Development Application Approval Processing (DAAP) fee as per By-Law 2007-132, as amended, upon the submission of the first detailed engineering design, and agrees to pay the remaining 25% prior to entering into the Subdivision Agreement based on the final approved cost estimate. The cost estimate will make up Schedule 'D' of the Subdivision agreement, which shall be included in the first engineering submission.
15. The Owner and the City shall agree in the Subdivision Agreement that:
  - a. No building permit will be requested for any individual lot or block until underground municipal services are installed and operational and the roadway is constructed to base asphalt condition.
  - b. All lots and blocks will be developed in accordance with the approved engineering design for the subdivision.
  - c. The building permit applicant for each such lot or block shall submit individual lot grading and drainage plans and receive approval from the City prior to the issuance of a building permit.
16. The Subdivision Agreement for each phase shall confirm the Owner agrees to submit to the City, prior to commencing the installation of services, a Construction Management Plan to regulate the routing of construction traffic through an access provided to the development from **Verulam Road (CKL Highway 36), at Street A**, an Erosion and Sediment Control Plan for all phases of the development, to the satisfaction of the City and in compliance with the City's current standard requirements. Measures to minimize construction debris on the roads as well as road cleaning at the Owner's expense will be included in the Subdivision Agreement. The Subdivision Agreement for each phase shall specify that the Construction Management Plan will be in force until assumption.
17. The Owner shall provide for City approval, [if required](#), a blasting report in compliance with OPSS.MUNI 120 by a qualified Professional Engineer outlining any area subject to any blasting or rock excavation by explosives for the construction of the proposed infrastructure as well as, blasting techniques being employed. The report shall provide any necessary mitigation measures to ensure that adjacent wells and septic systems are not negatively impacted. The City reserves the right to have the blasting report peer reviewed by a qualified expert at the applicant's expense.

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- a. The owner shall employ a qualified blasting contractor prior to the commencement of any blasting activity on the subject lands.
  - b. Prior to the commencement of blasting activities on the subject lands, the owner shall provide written notice both to the City and all property owners within 200 metres of the development area.
18. The Owner shall agree that prior to entering into a Subdivision Agreement with the City, the Owner has fulfilled all obligations to the City required under a Pre-Servicing Agreement as applicable, and as per the City of Kawartha Lakes Council Policy CP2018-009, as amended.
  19. The Subdivision Agreement shall confirm the Owner agrees, prior to offering any Blocks, Lots, dwellings, for sale, to display a map on the wall of the sales office and electronically available in a place readily accessible to potential homeowners that indicates the location of surface infrastructure and streetscaping within the development. In addition, the Owner agrees to have the Schedule "A" subdivision agreement engineering drawings available for review by all potential homeowners.
  20. The Subdivision Agreement shall include reference to a Legal and Topographic survey for each phase, current to the existing conditions. The survey shall ensure the detailed design maintains and incorporates all boundary conditions. The existing grading shall remain undisturbed and vegetated for a minimum of 0.3 metres within the subdivision property limit.
  21. The Subdivision Agreement shall confirm the Owner agrees to convey to the City, at no cost, the following lands through Phase 1:

Block 24 – Stormwater Management Facility

~~Block 25 – Parkette Block (Not required by the City for parkland purposes and to be amalgamated in with Block 23 – Future Development Block and red-lined 6.0 metre wide Municipal Servicing Block)~~

Block 26 – Walkway Block

Block 27 – 6m Servicing Block

~~Block for Water Servicing Block as red-lined on Appendix D to Report PLAN2023-048~~

~~Sight Triangles as red-lined on Appendix D to Report PLAN2023-~~

~~048 (5 m x 5 m) at the intersections of Streets 'A' and 'B', Streets 'A' and 'D', Streets 'A' and 'E', Streets 'B' and 'C' and Streets 'C' and 'D'~~

Sight Triangles (15 m x 15 m) at the intersection of Street 'A' and Verulam Road

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[All as shown on the Draft Plan of Subdivision dated September 20, 2024.](#)

Such land is to be free and clear of all encumbrances.

22. The Subdivision Agreement shall confirm that a construction phasing plan and anticipated timeline shall be submitted to the City at each detailed design phase and provide for suitable road and infrastructure connectivity.
23. The Subdivision Agreement shall confirm the Owner agrees that any existing agricultural tile drainage network and all outlets shall be decommissioned at the Owner's expense.

#### **ENGINEERING AND CORPORATE ASSETS – NEW AND EXPANDED PUBLIC ROADS AND TRAFFIC**

24. The Subdivision Agreement shall confirm the Owner agrees to convey to the City, at no cost, the land comprising the new public streets, sight triangles, road widenings, as shown on the draft plan for each phase in Schedule 'B' of the Subdivision Agreement. Such land to be free and clear of all encumbrances. These lands shall be dedicated as public highways.
25. The Subdivision Agreement shall confirm that the Owner agrees to design and construct, entirely at the Owner's expense, the roadways, sidewalks, and all municipal services for the proposed subdivision in compliance or conformance with all current provincial and municipal guidelines and standards.
26. The Subdivision Agreement shall confirm that the Owner agrees to design and construct, entirely at their expense, "Street A", east of "Street D" as a temporary access road and stormwater conveyance, to Block 24 Stormwater Management Facility. The road shall be temporary until the next Phase of development, and shall be maintained by the Owner to ensure access is maintained at all times. The road shall be constructed as required by the engineering design and to the satisfaction of the City, with a minimum 4 metre wide granular road base, ensure adequate stormwater conveyance and include a Temporary Turning Basin at Block 24.
27. The Subdivision Agreement shall confirm that the Owner shall provide for the detailed design for each Phase, recommendations and engineering design for internal traffic and transportation improvements, including traffic calming measures, traffic signage, controlled intersections, pedestrian crossings, signalization, etc., completed by a traffic engineer. The Owner agrees to design and construct, entirely at the Owner's expense.
28. The Subdivision Agreement for each phase shall confirm that the Owner has provided an overall traffic lane marking and signage plan, to the City's satisfaction,

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including any external improvements required and to be identified through the detailed engineering design. The installation of pavement markings and signage,

as well as any required modifications to existing pavement markings and signage, shall be at the Owner's expense, included in the cost estimate, Schedule "D" for each phase specific to the detailed engineering design of the subdivision to current municipal standards and to the satisfaction of the City.

29. The Subdivision Agreement for each phase shall confirm that the Owner has provided a composite utility plan which will outline the proposed location of all of the utilities proposed within the subdivision and any external utility works required to facilitate the connectivity of the proposed subdivision to existing utilities. Each utility will provide approval of the same composite utility plan for submission with the plan.
30. The Subdivision Agreement for each phase shall confirm that the Owner has provided a comprehensive streetscaping plan showing all above-ground utilities, streetlights, street furniture, street tree planting, and/or boulevard landscaping, specific to the detailed engineering design of the subdivision to current municipal standards and to the satisfaction of the City.
31. The Subdivision Agreement for each phase shall include provisions concerning the precise location of required fencing, commercial grade black vinyl chain link and/or acoustical fencing, specifically to delineate all future and existing City owned blocks from private property. The detailed engineering design of each phase of the subdivision will be to the satisfaction of the City.
32. Prior to final approval, the Owner shall submit a revised Traffic Impact Study to the satisfaction of the City of Kawartha Lakes. The Traffic Impact Study shall include an assessment of the proposed road classification and routing design of Street A, an evaluation and recommendations for walkability and pedestrian access, and an assessment of the proposed sight triangle sizes including an assessment of TAC requirements (parameters related to speed, distance, road classification, etc.) to ensure appropriate sightlines and safety can be achieved for the proposed new connection at Street A and Verulam Road South.

### **ENGINEERING AND CORPORATE ASSETS – SITE SERVICING**

33. The Subdivision Agreement for each phase shall confirm that municipal water and sanitary servicing capacity is not guaranteed for the entire development. The Owner is required through the engineering design of each phase of development to confirm with the City that there is sufficient sanitary, domestic water and fire water supply and treatment in the municipal system.

The Subdivision Agreement of each phase shall provide for the installation of a piped water supply system, sanitary sewage collection system, storm collection

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system, and stormwater management system to the satisfaction of the City and all municipal by-laws and design criteria and furthermore, upon satisfactory final inspection, shall provide for the assumption of such systems by the City. The construction and conveyance of the municipal infrastructure shall be at the Owner's expense and responsibility.

34. The Subdivision Agreement for each phase shall confirm that the Owner agrees that all residential sanitary services shall drain by gravity and not use sump pumps and grinder pumps for sanitary drainage.
35. The Subdivision Agreement for each phase shall confirm that the Owner agrees that each of the approved lots will be connected to the City's municipal water system, sanitary systems, and storm systems to the satisfaction of the City.
36. The Subdivision Agreement for each phase shall confirm the Owner has obtained an approved Form 1 – Record of Watermains Authorized as a Future Alteration from the Director of Engineering and Corporate Assets for the water works in accordance with the Safe Water Drinking Act and the Environmental Protection Act or the current municipal and/or provincial approval mechanism.
37. The Subdivision Agreement for each phase shall confirm that the Owner has obtained an Environmental Compliance Approval (ECA) in accordance with the Ministry of the Environment, Conservation and Parks and City standards and guidelines for the municipal storm works in accordance with the Ontario Water Resources Act and the Environmental Protection Act or the current municipal and/or provincial approval mechanism. The Subdivision Agreement shall reference the applicable ECA number(s).

#### **ENGINEERING AND CORPORATE ASSETS – STORMWATER MANAGEMENT**

38. The Subdivision Agreement shall confirm that a report in accordance with Section 65 of the Drainage Act, respecting the proposed subdivision development and increase in drainage area to the Ops 21-74 Municipal Drain has been completed by the City's appointed drainage engineer, at the Owner's expense. The report shall be completed to the satisfaction of the City, and the drainage assessment shall be re-apportioned, prior to earthworks.
39. The Subdivision Agreement for each phase shall confirm that the City has received a stormwater management report for quantity and quality control, water balance and phosphorus control, prepared by a qualified Professional Engineer in accordance with the applicable standards and guidelines to the satisfaction of the Kawartha Region Conservation Authority and the City. The report shall identify Detailed Design opportunities for City Approved Low Impact Development

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solutions applicable to the site specific conditions. The report shall confirm on-site infiltration rates and stormwater management facility sizing requirements based on a comprehensive and field-verified review of the associated drainage area.

40. The Subdivision Agreement for each phase, as applicable, shall confirm that the Owner has submitted a Stormwater Management Facility Operations, Maintenance, Monitoring and Assumption Report, for the use of the Stormwater Management Facilities, including Low Impact Development, throughout the phases and stages of development of the subdivision until final assumption of the facility by the City of Kawartha Lakes.
41. The Subdivision Agreement for each phase shall confirm that all Stormwater Management facilities have been sized to accommodate all City of Kawartha Lakes, Kawartha Region Conservation Authority, and Ministry of the Environment, Conservation and Parks (MECP) design elements/features in accordance with their standards and design criteria. At the time of detailed engineering design, should review of the Stormwater Management facility design show that the block has been undersized, the Subdivider shall revise the plan to increase the block size accordingly.
42. The Subdivision Agreement for each phase shall confirm that all Stormwater Quality and Quantity objectives are being met on future municipal owned property, and wording will be added to the agreement that all commercial and institutional blocks will be required to provide independent quality and quantity controls, in compliance with all provincial and municipal guidelines and standards.
43. The Subdivision Agreement for each phase shall confirm that the Owner has submitted an erosion and sediment control plan detailing the measures that will be implemented before, during and after construction to minimize soil erosion and sedimentation prepared to the satisfaction of the Kawartha Region Conservation Authority and the City. The plan shall contain a proactive targeted multi-barrier approach with emphasis on erosion control. Stripping topsoil and earth works must consider a phased approach, and any stripped lands within future phases must be stabilized.
44. The Subdivision Agreement for each phase shall confirm that the Owner has submitted a phosphorus assessment identifying pre-development loadings, anticipated post-development loadings, and opportunities for phosphorus reduction (e.g. best management practices for stormwater management). This assessment will be undertaken in accordance with the provisions of Policy 2 of the Provincial Water Quality Objectives.

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45. The Subdivision Agreement for each phase shall confirm that the Owner shall submit a landscaping/planting plan for the stormwater management pond prepared to the satisfaction of the City, in compliance with all provincial and municipal guidelines and standards.
46. That, the Subdivision Agreement for each phase shall contain, among other matters, the following provisions:
  - a. That, the Owner agrees to carry out the recommendations of the approved stormwater management report and the approved erosion and sediment control plan. The Agreement shall contain a reference to the plans and reports approved by the Kawartha Region Conservation Authority and the City.
  - b. That, the Owner agrees to implement all erosion and sediment control structures in a functional manner prior to the site disturbance and maintain these structures operating in good repair during and after the construction period, until such time as all disturbed soil surfaces have become stabilized and/or revegetated.
  - c. That, the Owner agrees that the City will not be responsible for maintenance and operation of rear lot catch basins on private property.
  - d. That, the Owner agrees that as-constructed testing, confirmation and engineering certification of stormwater infiltration rates is required as part of the assumption submission, to the satisfaction of the City.
47. The Subdivision Agreement for each phase shall include a clause indicating that prior to assumption, all water quality devices (such as stormwater management ponds, OGS, filter devices etc.) shall be cleaned out to the satisfaction of the City

## **FINANCE DEPARTMENT**

48. That subsequent to the execution of the Subdivision Agreement by the Owner and prior to the signing of the final plan by the Director, the City Treasurer shall confirm in writing to the Director that all financial obligations and payments to the City, as set out in the Subdivision Agreement, have been satisfied including, but not limited to:
  - a. All applicable Development Charge payments in accordance with the requirements of all applicable Development Charge By-laws,
  - b. All applicable Capital Charge payments in accordance with the requirements of all applicable Capital Charge By-laws,

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- c. All applicable Local Improvement payments in accordance with the requirements of all applicable Local Improvement By-laws,
- d. All applicable fees payable in accordance with the requirements of all applicable municipal by-laws, including fee by-laws,
- e. The form and amount of the securities that the Owner is required to have posted to secure its obligations under the Subdivision Agreement, including the identification of any reduction in such securities that has already been incorporated into the Subdivision Agreement,
- f. Where there has been such a reduction in such securities, a Statutory Declaration submitted on behalf of the Owner confirming payment of all accounts for material, labour and equipment employed in the installation of the services on whose completion such reduction has been computed and applied, and
- g. Any financial obligations with which the Owner's compliance has been deferred or from which the Owner has been exempted pursuant to the terms of the Subdivision Agreement.

#### **FIRE DEPARTMENT**

49. The requirements to be addressed in the Subdivision Agreement shall include fire breaks between structures under construction, and the disposal of construction material.

#### **KAWARTHA CONSERVATION**

50. Prior to final approval and any on-site grading taking place, the Owner shall provide a floodplain analysis to the satisfaction of the City and Kawartha Region Conservation Authority to ensure that development is not within the floodplain.
51. Prior to final approval, the Owner shall submit an updated Hydrogeological Report and water balance analysis and a stormwater management report for quantity control, prepared by a qualified Professional Engineer in accordance with the applicable standards and guidelines to the satisfaction of the Kawartha Region Conservation Authority and the City. The stormwater management report shall identify opportunities for Low Impact Development solutions applicable to the site-specific condition.
52. Prior to final approval and any grading taking place, the Owner shall submit an erosion and sediment control plan detailing the measures that will be implemented before, during and after construction to minimize soil erosion and sedimentation prepared to the satisfaction of the Kawartha Region Conservation Authority and the City. The plan shall contain a proactive targeted multi-barrier approach with

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emphasis on erosion control and identify the location and function of temporary sediment ponds/basins during construction and the impact of this particular development on the overall drainage area and centralized stormwater management pond.

53. That the Subdivision Agreement shall contain, among other matters, the following provisions:
  - a. That the Owner agrees to carry out the recommendations of the approved stormwater management report and the approved erosion and sediment control plan. The Agreement shall contain a reference to the plans and reports approved by the Kawartha Region Conservation Authority and the City.
  - b. That the Owner agrees to implement all erosion and sediment control structures in a functional manner prior to the site disturbance and maintain these structures operating in good repair during and after the construction period, until such time as all disturbed soil surfaces have become stabilized and/or revegetated.
54. That, prior to public ROW construction, or final approval of the Plan, the Owner shall provide a detailed design submission of the final Stormwater Management report prepared by a qualified Professional Engineer in accordance with the applicable standards and guidelines to the satisfaction of the Kawartha Region Conservation Authority.
55. That, prior to any site alteration, construction, or final approval of the Plan, the Owner shall provide a Final Grading Plan prepared by a qualified professional to the satisfaction of the Kawartha Region Conservation Authority.
56. That, prior to any site alteration, construction, or final approval of the Plan, the Owner shall provide a Final Sediment and Erosion Control Plan prepared by a qualified professional to the satisfaction of the Kawartha Region Conservation Authority. The Plan should detail the measures that will be implemented before, during, and after construction to minimize soil erosion and sedimentation; Note: Kawartha Conservation supports a proactive multi-barrier approach to erosion and sediment control, with emphasis on erosion control rather than solely relying on sediment control measures (e.g., silt fence).
57. That, the Subdivision Agreement contain the following provisions:
  - a) That, the Owner agrees to carry out the recommendations of the approved Stormwater Management report, the approved Grading Plan and the

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approved Sediment and Erosion Control Plan. Note: The Agreement shall contain a reference to the plans and reports approved by Kawartha Conservation.

- b) That, the Owner agrees to install all sediment and erosion control structures in a functional manner prior to the site disturbance, maintain these structures operating in good repair during and after the construction period, and continue to implement all sediment and erosion control measures until such time as the disturbed soil surfaces have become stabilized and/or revegetated.
- c) That, the Owner agrees to apply to Kawartha Region Conservation Authority separately for individual Permits for any dwelling units which are situated within Kawartha Conservation's regulated area.

## **SCHOOL BOARDS**

- 58. The following provisions shall apply equally to the Trillium Lakelands District School Board (TLDSB) and the Peterborough Victoria Northumberland and Clarington Catholic District School Board (PVNCCDSB).
  - a. All Subdivision Agreements for the subject draft plan between the City and the Owner contain a requirement that all Purchase and Sale Agreements for all phases of the approved draft plan contain a clause advising all potential purchasers that all Elementary and Secondary pupils will be accommodated at existing School(s) as no Elementary or Secondary School site is proposed within the approved draft plan.

## **BELL CANADA**

- 59. The Owner shall make satisfactory arrangements, financial and otherwise, with Bell Canada for any Bell underground facilities serving the subdivision.
- 60. The Owner agrees that if there are any conflicts with existing Bell Canada facilities or easements, the Owner/Owner shall be responsible for rearrangements or relocation.
- 61. The Owner shall agree in the Subdivision Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services at no cost to Bell Canada. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the Owner/Owner shall be responsible for the relocation of such facilities or easements.

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62. The Owner is hereby advised that prior to commencing any work within the Plan, the Owner must confirm that sufficient wire-line communication / telecommunication infrastructure is currently available within the proposed development to provide communication/ telecommunication service to the proposed development. In the event that such infrastructure is not available, the Owner is hereby advised that the Owner may be required to pay for the connection to and/or extension of the existing communication/ telecommunication infrastructure. If the Owner elects not to pay for such connection to and/or extension of the existing communication/ telecommunication infrastructure, the Owner shall be required to demonstrate to the municipality that sufficient alternative communication / telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication / telecommunication services for emergency management services (i.e., 911 Emergency Services).
63. The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.
64. The Owner agrees to provide Bell Canada with servicing plans/CUP to [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) to confirm the provision of communication/telecommunication infrastructure needed to service the development.
65. The Owner agrees that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure. If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

#### **ROGERS INC.**

66. Satisfactory arrangements, financial and otherwise, shall be made with Rogers Inc. for any underground facilities serving the subdivision.
67. The Owner agrees in the Subdivision Agreement with the City to grant Rogers Inc. any easements that may be required.
68. If there are any conflicts with existing Rogers Inc. facilities or easements, the Owner/~~Owner~~ shall be responsible for rearrangements or relocation.

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## **CANADA POST**

69. The Owner will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The Owner will then indicate these locations on the Composite Utility and Streetscaping Plans submitted to the City's Engineering and Corporate Assets Department.
70. The Owner agrees in the Subdivision Agreement, prior to offering any Blocks, Lots, dwellings, commercial units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post. In addition, the Owner agrees to have Schedule "A" the approved Engineering drawings of the Subdivision Agreement available for review by all potential homeowners.
71. The Owner agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The Owner also agrees to note the locations of all Community Mail Boxes within the development /subdivision, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.
72. The Owner will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading is completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the dwellings / units are occupied.
73. The Owner agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
  - a. Any required walkway across the boulevard, per municipal standards; and
  - b. Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications).

## **COGECO**

74. Satisfactory arrangements, financial and otherwise, shall be made with Cogeco Connexion Inc. for any Cogeco underground facilities serving the subdivision.
75. The Owner agrees in the Subdivision Agreement with the City to grant Cogeco Connexion Inc. any easements that may be required.
76. If there are any conflicts with existing Cogeco Connexion Inc.'s facilities or easements, the Owner/~~Owner~~ shall be responsible for rearrangements or relocation.

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### **NEXICOM**

77. Satisfactory arrangements, financial and otherwise, shall be made with Nexicom for any Nexicom underground facilities serving the subdivision.
78. The Owner agrees in the Subdivision Agreement with the City to grant Nexicom any easements that may be required.
79. If there are any conflicts with existing Nexicom's facilities or easements, the Owner/Owner shall be responsible for rearrangements or relocation.

### **ENBRIDGE**

80. The Owner agrees that the Subdivision Agreement contain a provision to ensure that the Owner grade all boulevards to final pre-soil subgrade elevation prior to the installation of the gas lines, and provide the necessary field survey information required for the installation of the gas lines, all to the satisfaction of Enbridge Gas Inc. if required.
81. The Owner agrees in the Subdivision Agreement with the City to grant Enbridge Gas Inc. any easements that may be required.

### **HYDRO ONE**

82. The Owner agrees that prior to the signing of the final plan by the Director, the Owner shall satisfy all requirements, financial and otherwise, of the Hydro One Networks Inc.
83. The Owner agrees to enter into a Subdivision Servicing Agreement for Electrical Servicing with Hydro One Networks Inc. This Servicing Agreement will specify all the terms, conditions, and financial obligations to facilitate the extension of electrical servicing to these lands. Hydro One may as part of its Electrical System Servicing Agreement, require a type of Development Charge or Systems Capital Contribution Fee towards the provision of system(s) capacities expansion outside of the development but necessary to ensure the integrity of the Company's Power distribution grid.

### **CLEARANCES**

84. Prior to the signing of the final plan by the Director, the Planning Division shall confirm that Conditions 1 to 11 and 13 have been satisfied.
85. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Community Services Department indicating how Condition 12 has been satisfied.

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86. Prior to the signing of the final plan by the Director, Owner shall provide to the Planning Division a clearance letter from the Engineering and Corporate Assets Department shall confirm that Conditions 14-47 have been satisfied.
87. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Taxation and Revenue Division indicating how Condition 48 has been satisfied.
88. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Fire Department indicating how Condition 49 has been satisfied.
89. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Kawartha Conservation Authority indicating how Conditions 50-57 have been satisfied.
90. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the applicable school boards indicating how Condition 58 has been satisfied.
91. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from Bell Canada indicating how Conditions 59-65 have been satisfied.
92. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from Rogers Inc. indicating how Conditions 66-68 have been satisfied.
93. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Canada Post Corporation indicating how Conditions 69-73 have been satisfied.
94. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Cogeco Cable Solutions indicating how Conditions 74-76 have been satisfied.
95. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from the Nexicom indicating how Conditions 77-79 have been satisfied
96. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from Enbridge Consumer Gas indicating how Conditions 80-81 have been satisfied.

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97. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a clearance letter from Hydro One Networks Inc. indicating how Conditions 82-83 have been satisfied.

### CONDITIONS RELATIVE TO MASTER DEVELOPMENT AGREEMENT

98. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division confirmation of payment to the City of Kawartha Lakes, in accordance with the Master Development Agreement, as pertains to obligations for the following:

a. Affordable housing as relates to Land and Cash values:

- Land: Phase 1 accrues a commitment to provide land for 11.3 units of affordable housing; as the Owner is not providing this in the current phase, this will transfer as an obligation to the next phase.
- Cash: The Owner is to provide 4% of the appraised value of the property as the cash contribution to affordable housing.

b. Cultural initiatives at a rate of \$571.82 per building permit (for Phase 1: 113 dwelling units equates to \$64,615.66).

c. Tree removal of mature (5 inches circumference or more at 4.5 feet from base), healthy non-invasive trees (\$1,500 per tree).

99. Prior to the signing of the final plan by the Director, the Owner shall provide to the Planning Division a Tree Management Plan prepared by a qualified professional, in accordance with the Master Development Agreement, that demonstrates a commitment to retaining existing healthy, non-invasive tree cover on the property.

100. That prior to any site alteration, a detailed Archaeological Assessment has been completed, and a letter of acknowledgement from the Ministry of Culture has been received and provided to the Planning Division, and further, that all recommendations in the Assessment have been complied with if/as required.

### **Part B – Lapsing Provision**

All conditions shall be fulfilled and satisfied, and final approval shall be given or this draft plan approval shall be deemed to have lapsed pursuant to the Planning Act, R.S.O. 1990, as amended, after three (3) years from the date the Notice of Decision is sent out with respect to this draft approval.

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Extensions to draft approval may be considered provided that existing technical reports remain applicable or updates are provided and the provisions of By-law 2016-065, as amended are met.

Any request for Draft Plan Approval extension shall include the City's required update to the draft plan including any supporting documentation to ensure compliance or conformance with all current provincial and municipal guidelines and standards. Designs and reports shall be updated by the Owner as required, to the satisfaction of the City.

### **Notes to Draft Plan Approval of 16T-22503 (D05-2022-003)**

#### **1. Clearance Letters**

It is the Owner/applicant's responsibility to fulfill the conditions of draft approval and to ensure that the required clearance letters have been forwarded by the appropriate agencies / utility companies to the City of Kawartha Lakes to the attention of the Director of Development Services quoting the above noted file. For your information the following are the contacts:

Juan Rojas, Director  
Engineering and Corporate Assets  
Department  
City of Kawartha Lakes  
322 Kent Street West  
Lindsay, ON K9V 5R8  
Tel: 705.324.9411 ext. 1151  
Fax: 705. 328.3122

~~Craig Shanks~~, Director  
Community Services Department  
City of Kawartha Lakes  
50 Wolfe Street,  
Lindsay, ON K9V 2J2  
Tel: 705.324.9411 ext. 1307  
Fax: 705.324.2051

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~~Bryan Robinson~~, Director  
Public Works Department  
City of Kawartha Lakes  
322 Kent Street West  
Lindsay, ON K9V 5R8  
Tel: 705.324.9411 ext. 1143  
Fax: 705.328.3122

Terry Jones, Fire Chief  
Emergency Services Department  
Kawartha Lakes Fire Rescue  
9 Cambridge Street North  
Lindsay, ON K9V 4C4  
Tel: 705.324.5731  
Fax: 705.878.3463

~~Richard Holy~~, Director  
Development Services Department  
City of Kawartha Lakes  
180 Kent Street West, 2<sup>nd</sup> Floor  
Lindsay, ON K9V 2Y6  
Tel: 705.324.9411 ext. 1246  
Fax: 705.324.4027

~~Matthew Mantle~~, Director of  
Planning, Development and  
Engineering  
Kawartha Conservation  
277 Kenrei Road,  
Lindsay, ON K9V 4R1  
Tel: 705.328-2271  
Fax: 705.328-2286

Bell Canada  
Right of Way Control Centre  
100 Borough Drive, Floor 5  
Scarborough, ON M1P 4W2

Hydro One Networks Inc.  
45 Sarjeant Drive,  
Barrie, ON L4M 5N5

David Cayer  
Delivery Services Officer  
Canada Post Corporation  
P.O. Box 8037, Ottawa T CSC  
Ottawa, ON K1G 3H6

Enbridge Gas Inc.  
500 Consumers Road  
North York, ON M2J 1P8

Kayla Cardiff  
Rogers Communications  
855 York Mills Road  
Toronto, ON  
M3B 1Z1

Bruce Buchanan, Manager,  
Network Operations  
Nexicom Inc.  
5 King Street East  
Millbrook ON L0A 1G0

Drew Lawrence  
Network Delivery Coordinator  
Cogeco Cable  
1111 Goodfellow Road  
Peterborough ON  
K9J 7X1

## 2. Conveyances and 0.3 m. Reserves

If land is to be conveyed to the City we suggest that the description of such parcels shall be by reference to either the Lot or Block on the Registered Plan or by Part on a Reference Plan of survey.

We further require the Owner give to the City an undertaking to deposit with the Clerk a properly executed copy of the conveyance concurrent with the registration of the final plan, as signed by the Director.

If a 0.3 m. reserve is required along the side of either an existing or proposed road allowance, the 0.3 m. reserve shall be placed inside the public road allowance – eg. the final public road allowance would be 20.3 m. and be comprised of two (2) parts, the 20.0 m. wide road allowance and the 0.3 m. reserve. The latter would be deeded to the City in trust.

### **3. Lands Required to be Registered under Land Titles Act**

We suggest that you make yourself aware of section 144 of the Land Titles Act and subsection 78(10) of the Registry Act. Subsection 144(1) of the Land Titles Act requires that a plan of subdivision of land that is located in a land titles division be registered under the Land Titles Act. Exceptions to this provision are set out in subsection 144(2). Subsection 78(10) of the Registry Act requires that a plan of subdivision of land that is located only in a registry division cannot be registered under the Registry Act unless that title of the Owner of the land has been certified under the Certification of Titles Act. Exceptions to this provision are set out in clauses (b) and (c) of subsection 78(10).

### **4. Sewage Works**

Approvals for sewage works are required under the Ontario Water Resources Act, R.S.O., 1990 as amended and the Environmental Protection Act, R.S.O., 1990 as amended.

### **5. Water Works**

Water works shall meet the requirements of, and be approved by, the City of Kawartha Lakes Public Works Water and Waste Water Division, in accordance with the Safe Water Drinking Act, S.O. 2002 as amended and the Environmental Protection Act, R.S.O. 1990 as amended.

### **6. Clearance of Conditions**

A copy of the Subdivision Agreement should be sent to public bodies with conditions covered under the Agreement. This will expedite clearance of the final plan. Please do not send a copy to the Ministry of Municipal Affairs.